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HISTORY OF ENGLAND

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THE REIGN OF GEORGE THE THIRD

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BY

WILLIAM MASSEY M.P.

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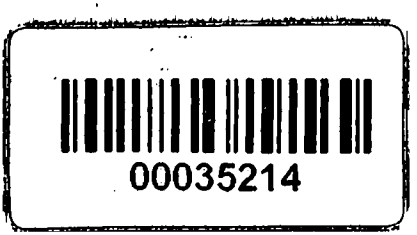

CONTENTS.

Volume the Fourth.

CHAPTER XXXIII.

The War with France — Misconduct of the Allies — State of France — Public Opinion in England — Prosecutions of the Press.

PAGE

War with France 1
Disinclination of the Ministry for war 2
Admissions of Fox 6
Fox's Amendment negatived 6
Fox's Resolutions 7
Burke's reply to Fox 8
Alliance against France 9
The French in the Netherlands 9
Harsh conduct of the French 10
Plans of Dumourier 11
Defection of Dumourier 12
The Duke of York in Flanders 13
Liberation of the garrison 18
Defeat of Freytag 20
Surrender of Quesnoy 22
The Prussians at Mentz 23
Captures in the West Indies 26
End of the first campaign 27
The Rule of Terror 33
Conduct of the Whigs 35
Intemperate language of Fox 35

PAGE

Moderate proceedings not to be expected in France . . . 39
Conduct of Pitt 42
Seditious Clubs 43
Exasperation of France 45
Repressive measures of Pitt. 46
Petty State Prosecutions 47
Severe sentences against inferior agents 48
Society for Constitutional Information 49
Prosecution of Winterbotham 51
Duffin and Lloyd's case 52
Proceedings against the Press 56
London publishers. 57
Ridgway's sentence 58
Subserviency of the Judges. 59
Movement for Parliamentary Reform 63
Thomas Muir 65
Palmer's case 67
Undue severity of the Scottish Courts 67
Traitorous Correspondence Bill 69

Chapter XXXIV.

Foreign Mercenaries and Volunteers — Trials for Treason — Hardy, Thelwall, Horne Tooke.

Public dislike to the Duke of York 73
Importation of foreign troops 75
Enrolment of Volunteers 76
Sheridan's Resolution 77
Defence of the Government 78
Raising of local battalions 79
Renewed proceedings against seditious writings. 80
Vigilance of the Government 81

PAGE
Corresponding Society 82
Impolitic measures 85
Provincial prosecutions 85
Prosecution of Walker and others 87
Case of Watt and Downie 88
Horne Tooke and others 89
La Motte, Lord George Gordon. 90
Rash proceedings of the Government. 92
Trial of Hardy 93
Partiality of the Judges 97
Erskine's cross-examination of Witnesses 98
John Horne Tooke. 108
Effrontery of Tooke. 110
Major Cartwright 113
Thelwall. 115
Beneficial results of the trials 116

Chapter XXXV.

Progress of the War — Action of the First of June — Marriage of the Prince of Wales — Conclusion of Hastings' Trial.

French Affairs 121
Escape of the Emperor 124
Check of Pichegru 126
Proclamation of the Emperor 127
Fall of the Belgian fortifications 128
Recapture of the Flemish fortresses 129
Dutch population in favour of the French 129
Corsica, Paoli 130
British expedition to the West Indies. 130
Campaign on the Rhine 131
Austrians cross the Rhine 132

PAGE
England successful at sea 133
Pressure of taxation 136
Determination to continue the war 138
Proceedings of the Opposition 143
Intemperate language of Pitt 144
Loan to Austria 145
Affairs of the Prince of Wales 145
Unwise conduct of Lord Malmesbury 146
Separation of the Prince and Princess 149
The Prince's establishment 150
Reception of the Royal Message 151
Pitt's proposal to relieve the Prince 153
Bribery and plunder attributed to Clive 162
Retirement of Hastings 163

CHAPTER XXXVI.

Expedition to Quiberon—Naval Operations— Coercive Acts— Negotiations for Peace.

Plan for invading Brittany 167
Failure of the Plan 168
The Channel Fleet 170
Disappointment of De Puisaye 170
Landing in Quiberon Bay 171
The Royalists inefficiently supported 174
Results of the failure at Quiberon 177
Plans of De Puisaye 178
Charette in Poitou 180
Vacillation of the Ministry 182
Affairs in the West Indies 183
Political Meetings 184
Outrage on the King 185
Proceedings in Parliament 186
Act to repress public discussion. 187

PAGE
Reception of the measure 187
Petitions against the Bills 190
Political pamphlets. 192
Barracks 193
Loan and New Taxes 194
Selfish conduct of the Landed Interest. 195
Cessation of the Reign of Terror 195
Opposition against negotiation 198
Persistence of the Ministry. 198
Failure of Negotiations 200
Impossible terms of the French propositions 202
Dismissal of Lord Malmesbury 205
Intrigues of the French in Spain 206

Chapter XXXVII.

Bank Restriction Act — French Invasion of Wales — Mutiny in the Fleet — Conference of Lisle — Battle of Camperdown — Financial Measures — Patriotic Fund — Change in Public Opinion.

New Parliament 207
New Loan 209
Drain of Specie. 211
Meeting of Merchants. 213
Arguments against the Act 214
The Dutch Fleet 215
Loss of the English 222
Peerage and pension of Jervis 222
Anonymous letters of complaint 223
Demands of the Mutineers 225
Earl Spencer goes to Portsmouth 227
Mutiny at St. Helen's 229
Lord Howe at Portsmouth 231
Admiral's flag hauled down 234

PAGE
Reply of the Admiralty 235
Earl Spencer at the Nore 236
Alarm at Sheerness 236
Parliamentary denunciation of the mutineers 237
Execution of Parker 240
Ill-usage of the seamen 242
Increase of the National Debt 244
Supplementary Loan 245
Motions for a change of Ministry 247
French Commissioners 248
Divisions amongst the French 249
Proposals to Austria 254
Ionian islands ceded to France 255
French invectives against the British. 255
Projects for invading England 256
Equality of the forces 258
Factious conduct of the Opposition 259
Unconstitutional conduct of the Whigs 260
Mr. Tierney 261
The Budget 261
Opposition to the Budget 263
Prospect of invasion 266
Defence of the country 267
State prosecutions 269
Change in public opinion 273

CHAPTER XXXVIII.

Ireland — The Rebellion — The Union.

Remedial measures in Ireland 281
Treasonable projects of French invasion 282
Duke of Portland's policy 282
Overtures made to Grattan 284
Fitzwilliam's arrival in Dublin 285
Influence of the Beresfords 291

PAGE
Panic amongst Irish officers 292
Animosity against Fitzwilliam 292
Letters of Fitzwilliam 295
Lord Camden made Viceroy 296
Beresford's house attacked 297
Orangemen 298
United Irishmen change their tone 299
Disordered state of the country 300
Violence of the Protestant Party 301
Troops billetted on Catholics 302
Preparations for a general insurrection 303
Sir James Stuart's proceedings 305
Suppression of the 'Morning Star' 306
Dissolution of Parliament 306
Fresh applications to France 307
Extent of the conspiracy 308
Reynolds the informer 309
Apprehension of the Sheares's 314
Dr. Esmonde 315
Attack on Naas and Kilcullen 315
Duff's attack on the Rebels 318
Wexford address 319
Proclamation of an Amnesty 322
Virulence of the Loyalists 322
Bonaparte's distrust of the Irish 325
Promptitude of Lord Cornwallis 328
Suppression of the Rebellion 329
Union proposed 335
Opening of Parliament 340
Chancellor Clare 341
Royal Message 341
Revival of agitation in Ireland 342
Address to the Crown 346
Duke of Portland's instructions 350
Resolutions moved by Pitt 354
Irish Houses prorogued 364

PAGE
Trial of Fitzgerald 369
Arrest of Mr. Scott 370
Use of Torture 373
Lord Cornwallis's Government 378
Murder in Wicklow 384
Court Martial dissolved by Cornwallis 386
Prorogation of Irish Parliament 389
Pitt's speech on the representation 402
Sixth Article of Union 403

CHAPTER XXXIX.

French Expedition to Egypt — Battle of the Nile — Naples and its Court — Campaigns in Europe — Expedition to the Helder — Siege of Acre — Fall of Seringapatam.

Fleet sails from Toulon 410
Nelson sent in pursuit of the French 412
Battle of the Nile 414
Nelson's complaint of want of frigates 419
His presence of mind 419
Nelson created a Peer 423
Exultation on the Continent 424
Nelson sails for Naples 425
Movements of Russia 430
Movements of Austria 435
Macdonald at Naples 436
Prince Caraccioli 441
Seizure of Caraccioli 442
Defeat of the Dutch 453
Difficult nature of the country 454
Sir Sydney Smith 458
Siege of Acre 460
Bonaparte's Despatch 463
British before Seringapatam 469

Chapter XL.

Income Tax — Bonaparte's Letter proposing Peace — Hadfield's Attempt on the King's Life — Scarcity — Prosecution of the Corn Factors — Measures of the Government.

PAGE

Bonaparte's reception in Paris 477
Bonaparte's Letter to the King 478
Lord Grenville's Speech 483
Debate in the Commons 484
Attempt to shoot the King 489
Public expression of Loyalty 494
Concessions of Austria 507
Isolation of England 512
British Embargo 518
Extent of private benevolence 532

Chapter XLI.

First Parliament of the United Kingdom — Catholic Question — Change of Ministry — King's Illness — Addington succeeds Pitt — Proceedings in Parliament — Battle of Alexandria — Expedition to the Baltic — Peace of Amiens.

First United Parliament 536
Election of Speaker 536
Dundas at the King's Levee 537
Discussion in the Cabinet 538
Castlereagh's Promise 540
Proposed Measures for Catholic relief 542
The Cabinet assembled 543
Loughborough's breach of confidence 543
Loughborough and Castlereagh 544
The King's reply to Pitt 549
Pitt's offer to resign 549

PAGE

Attempt of Addington to dissuade Pitt from resigning . . 553
The New Cabinet 554
Health of the King 562
The opinion of Dr. Willis 566
The King's enquiries 568
Addington Premier 574
Resignation of Cornwallis 577
Personal character of Addington 578
Complaint of Pitt's friends 580
Popular dissatisfaction with Pitt 581
Addresses of Cornwallis to the Catholics 583
Grenville's defence of the late Ministry 585
Addington's parliamentary success 588
Proceedings of the Ministry 593
Affairs in Egypt 595
Treaty of El Arish 597
Position of the French 600
Expedition to Egypt 601
Misinformation as to the French Army 606
Convention of Cairo 611
Negotiations for Peace accelerated 612
Subserviency of Russia to French interests 613
Sailing of the Fleet 616
Frivolous punctilio of Sir H. Parker 618
Battle of the Baltic 620
Nelson goes on shore 624
Nelson's letter to the Crown Prince 624
Conclusion of an armistice 626
Evasive conduct of the Swedes 627
Change of Russian policy 628
Recall of Sir H. Parker 629
Dissolution of the Northern League 633
Grenville's attack on the Northern Convention 640
Definitive Treaty 642
Difficulties in adjusting the terms 644
Conclusion 647

A

HISTORY OF ENGLAND,

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THE REIGN OF GEORGE THE THIRD.

CHAPTER XXXIII.

THE WAR WITH FRANCE—MISCONDUCT OF THE ALLIES—STATE OF FRANCE—PUBLIC OPINION IN ENGLAND—PROSECUTIONS OF THE PRESS.

THE War in which England became thus involved was unlike any former war, in which any civilized power had been hitherto engaged. It was not a war of ambition, of self-defence, or of national rivalry. The elements of those quarrels which had aforetime involved this country in 'just and necessary' warfare with her mighty rival were, indeed, still extant; but at this time, there was no struggle to retain or acquire some distant possession more burdensome than useful to either party; there was no question about the balance of power; there was no dispute, to

Ch. 33. — 1793

serve as a pretext for the indulgence of military emulation. Our ancient rival was no more. That famous house of Bourbon, whose aggrandizement it had up to this period been the leading policy of English statesmen to restrain, was levelled with the dust; but in its place had uprisen a power more terrible than the French monarchy, at the height of its insolence and vigour. A country without a Government, denouncing all regular Governments, dispersing the missionaries of anarchy throughout Europe, and inviting all nations to cashier their rulers, to level society, to confiscate property; in a word, to dissolve all the bonds by which civilized communities had hitherto been held together. Such was France — and France had declared war against England.

Disinclination of the Ministry for war.

England had simultaneously declared war against France; nor was it possible that peace could have been maintained between the two countries. The ministers of the Crown, rashly accused of provoking a rupture with the French democrats, were the last to admit the necessity of war. They desired only to guard this country against the contagion of French principles; they gave no encouragement to the rash aggression of the German powers; they used their influence to prevent the States General from joining Austria and Prussia;[a] and proposed, for the first time in the

[a] See Lord Grenville's Letter to Lord Auckland, 21 July and 6 November, 1792.

History of England, to maintain a strict neutrality in the conflict between France and the Continental States. The policy of the first minister, during a lengthened administration of unrivalled prosperity and success, had been essentially the policy of peace. Shortly before the rupture of 1793, he said that the map of Europe might be closed;[b] and the measures which he had in contemplation were, for the most part, such as were incompatible with the prosecution of a great war. But the decree of the French Convention, exhorting the people of every nation to rise against their government, and promising them material aid: the notorious efforts to give effect to the decree in this country by agents of the Convention and the executive Council;[c] the outrages of the rulers of France on religion, on law, on public decency

Ch. 33. 1793

[b] *Auckland Correspondence*, 419 and 464.

[c] The agents of Egalité were busily engaged in endeavouring to revolutionise the country; and there can be little doubt, that they were in communication with Talleyrand and Chauvelin. The order for three thousand daggers, given to a manufacturer at Birmingham, referred to by Burke in his speech on the 28th of November, was connected with a conspiracy to which the Government attached so much importance that a Cabinet was summoned. Sir J. B. Burgess, the Under Secretary for the Foreign Department, who had furnished the information upon which the Government proceeded, and was present at the deliberations of the Cabinet thereupon, relates that Pitt expressed to him, after the Ministers had separated, his conviction that war was now inevitable. He desired Burgess to draw up a pamphlet to prepare the public for the event. This pamphlet was corrected, and added to by Pitt, and a large impression was immediately bought up. Three days afterwards, Pitt, at the instance

Ch. 33. and on common sense; their robberies, tortures, and indiscriminate massacres, ending with the cruel murder of their too patient and inoffensive sovereign; — all these enormities had excited throughout the British Empire feelings of grief, rage, and alarm, which no Government could have restrained within the bounds of moderation. The immediate cause of war was, however, complete in itself; and must have led to a rupture, had it been the act of Louis the Sixteenth and a regular Government. England was bound by a treaty with Holland so recent as the year 1788, to which both France and England were parties, to guarantee to Holland the exclusive navigation of the Scheldt and the Meuse. The French Government, in open violation of public law, which respects the property of neutral states, and of the express compact by which they were not less bound than the Government of Great Britain, decreed that the exclusive occupation of navigable rivers was contrary to the rights of man, and instructed their

1793

of Maret, received that person at a private interview; and then distinctly informed him, that, in the event of an invasion of Holland by a French army, England would support her ally; and farther, that, in the absence of explanation, the decree of the 19th of November would be considered an act of hostility. Maret promised that satisfactory assurances on both these points should be furnished by Le Brun, the French Minister.—Sir J. B. Burgess to Mr. Locker, and Memorandum of Interview with Maret, in Pitt's handwriting.—*Locker* MSS. This memorandum does not differ in substance from the account given by M. Maret, and published by the French Government.

general in Flanders to employ the means at his disposal for the opening of the Dutch waters. This measure was, therefore, as much an act of hostility towards England as towards Holland. It could bear no other construction, and it had no other intention. It had, indeed, already become manifest that the time had arrived when England, unless prepared to submit to the last indignity, must accept the quarrel which the rulers of France were determined to fasten on her. The outrageous decree of the 19th of November, which was all but avowedly directed against this country; the act of the 15th of December, annexing the Austrian Netherlands to France, a measure which, however, justifiable by the laws of war, was most dangerous to the peace and safety of these islands; and lastly the open breach of treaty to which the honour of England was pledged, formed a combination of insults which no independent nation could endure. There was, indeed, no substantial difference of opinion on the subject among Englishmen who did not hate the institutions under which they lived, or were not desirous that their country should become a province of France. Public spirit overcame party considerations; and many persons, of various ranks and conditions who had hitherto been hostile to the administration, thought the main object to be regarded was the support of the King's Government. The Duke of Portland, who, since the death of Lord Rockingham, had been considered the head of the whig party, seconded

Ch. 33. 1793

Ch. 33. — 1793

Lord Grenville in moving an address to the Crown on the message announcing war with France. The Earls Spencer and Fitzwilliam, with many other peers, followed their chief. In the Commons, the accessions to the ranks of the Government were also numerous and distinguished. Fox himself admitted that the decree of November, the opening of the Scheldt, and the annexation of Brabant, were just grounds of complaint. In the debate of the first of February, he said: 'The plain state of the matter was, that we were bound to save Holland from war, or by war, *if called upon;* but to force the Dutch into a war at so much peril to them which they saw and dreaded, was not to fulfil, but to abuse the treaty.' This was no doubt a correct statement of the obligation which the treaty imposed; but on the very day these words were uttered, France declared war against England and *Holland;* in such an event, it was absurd to contend that England was bound to wait for a formal requisition before she interposed for the defence of her ally. Yet when the King's message came down announcing war, Fox moved an amendment to the address, purporting that defensive war only should only be undertaken, and that negotiations should be renewed to obtain redress for the wrongs of which Great Britain had reason to complain.

Admissions of Fox.

Fox's amendment negatived.

This amendment, though moderate, received so little encouragement, that the proposer suffered it to be negatived without a division. A few days after-

wards, Fox moved a series of resolutions, declaring that war was not justified by the internal affairs of France, nor by the expression of opinions nor principles however pernicious; that ministers had not exhausted the resources of negotiation with respect to those differences which afforded this country just grounds of complaint; that they had not distinctly stated to the French Government the terms on which they would observe neutrality in the war which then existed; that they had neglected to interfere when the rights of Poland had been invaded; and, finally, that the British Government should enter into no engagements with foreign powers which should preclude them from making a separate peace, nor take any part in attempting to impose upon the French people a form of Government which they did not desire. His speech consisted chiefly of an invective against the German powers for their rash invasion of France, and their violence towards Poland; neither of which acts were the ministry concerned to defend; and, accordingly, no member of the Government took part in the debate. It might have been replied, that negotiation, both regular and irregular, had been pushed to its utmost limits; and that any attempt to go farther in that direction would only expose the Government to insult from people who hated England, as the only power which could chastise their insolence and arrest their career. Burke reminded his former colleague that he had stood by without interfering

Fox's resolutions.

Ch. 33. — 1793

Burke's reply to Fox.

when Poland was invaded; when her constitution was abolished, her King dethroned, and her territory divided. The state of Europe was at that time such that England might have interfered to prevent this outrage, if she had deemed it her province to interfere. But such an idea never appears to have entered the head of the Minister, or of the leader of Opposition, or of any person engaged in public affairs. It certainly was not to the credit of England, that these successive acts of rapine should have been perpetrated, without one word of protest or remonstrance on her part; but if she failed to interpose in the first instance, her good offices on behalf of Poland could have been employed with little effect, when circumstances compelled her to draw towards an alliance with the offending Powers against the common enemy of every established Government. Upon the first of Mr. Fox's resolutions, which was substantially in accordance with the opinion of Pitt,[d] the previous question was moved, and the House decided, by a a great majority, that the question should not be put.[e] And even of the decreasing minority, which

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[d] In a Letter to the Marquis of Stafford, 13th November, 1792, quoted by EARL STANHOPE, in his *Life of Pitt*, v. 2, p. 173, and in the *Correspondence of* Sir GEORGE ROSE, the following passage occurs:—'Perhaps some opening may arise which may enable us to contribute to the termination of the war between the different powers in Europe, leaving France (which I believe is the best way) to arrange its own internal affairs as it can.'

[e] 270 to 44.

still adhered to the Leader of Opposition, there were several reluctant votes. Ch. 33. 1793

All the principal Powers of Europe were now in arms against France; Austria, Russia, Prussia, Great Britain, Spain, Portugal, Naples, Rome, and Sardinia, severally declared war; while the Republic had not an ally in the world. Undismayed by this combination, the Regicide Government made the most vigorous efforts. The Duke of Brunswick's insolent proclamation, which treated the French as a nation of rebels, to be scourged by foreigners into submission to their rightful rulers, did more to prepare this great people for effectual resistance to the foreign enemy than the most prudent and patriotic efforts of their statesmen and generals could have accomplished. Every Frenchman felt that the domestic calamities under which his country groaned were as nothing compared with the dictation of a foreigner, and the partition of the Empire by the rapacious intruders. The military blunders of the Allied Powers, and their ignoble abandonment of the conquests they had made, before the invaded people were prepared to offer resistance, had greatly elated the natural confidence in their own resources, of a proud and warlike race. Alliance against France.

The French had already occupied the Austrian Netherlands, and drawn large contributions from those provinces. Within a fortnight after their declaration of war against Great Britain and Holland, they had nearly overrun the territory of The French in the Netherlands.

Ch. 33. — 1793

the States General. But they were now to experience reverses. A turn of fortune enabled the Allies to regain some important posts in Flanders; and, following up their successes, the French were, in a few weeks, deprived of all their conquests in Flanders, and forced to retreat on their own territory. These events caused great consternation at Paris. They were owing, in a great measure, to conduct on the part of the French, similar to that which they so justly resented, when practised, or threatened by the Allies. The military progress of the French army in Flanders, had been a series of exactions and pillage, ending in annexation. The Flemish people, groaning under this oppression, and resenting the treatment to which they had been subjected, afforded every assistance in their power to the Allied armies, and mainly facilitated the re-conquest of the country. But the French Government, after the fashion of democracies, laid the whole blame of the disaster on their unsuccessful General, and despatched Commissioners to the camp to summon him before the Convention. Dumourier, who knew that to obey such a summons, was to submit his head to the guillotine, placed the Commissioners under arrest. This act was the prelude to a treason which he had for some time meditated. He fancied that he could play a similar part to that which General Monk, favoured by a concurrence of circumstances, successfully performed in the history of England. His idea was to march to Paris,

Harsh conduct of the French.

and proclaim the Restoration of the Monarchy. With this design, he had obtained a truce from the Allied Generals, and he sent the Commissioners of the French Convention to the prince of Coburg, as hostages for his fidelity to his new engagements. A more rash and hopeless enterprise could hardly be conceived. If Dumourier had been at the head of an army which had fulfilled its duty, and scattered the German hosts, he might have hoped to achieve the deliverance of his country from her domestic tyrants, as well as from the foreign foe. But his army was beaten; all the conquests which he had made a few months before were wrested from him; and if he marched to Paris, he must be accompanied by the victorious legions of Austria, which had threatened his country with the extreme of military law. It is not surprising that, under such circumstances, his attempt to seduce his army from their allegiance, met with a cold reception. His design, instead of being kept secret until the moment of action, had long been canvassed throughout the camp; and the agents of the Convention had already taken measures to secure the fidelity of the troops. A few regiments were, nevertheless, disposed to follow their leader; but an attempt which he made to deliver up Condé to the enemy wholly failed. Dumourier himself escaped with difficulty from a regiment, under Davoust, a young officer, who was afterwards a distinguished General of the Empire; and when he appeared the next day,

Plans of Dumourier.

Ch. 33. — 1793

guarded by a body of Austrian dragoons, he was driven away with indignation by the French soldiers, and compelled, finally, to take refuge within the Austrian lines. Louis Philippe, the young son of Egalité, with two or three other officers, and about fifteen hundred men, accompanied his flight.

Defection of Dumourier.

The defection of Dumourier caused no surprise at Paris; his hostility to the Revolutionary Government having been openly declared to the deputies, who had been sent to confer with him on his retreat from Flanders. But the signal discomfiture of this formidable treason gave new vigour to the regicides, at the moment when they were threatened by the advance of the European armies, and by the Loyalist insurrection in La Vendée, and in the great city of Lyons. The truce which the Allies had made with Dumourier, to afford him time for maturing his design of marching to Paris, resulted in the loss of an opportunity, which, if judiciously used, might have brought the war to a speedy and successful termination. Had the Prince of Coburg, after the battle of Nerewinden, instead of tampering with the French general, pushed his advantage, and made a general attack on the French army, it is more than probable that he would have obtained an easy and a final victory; after which, there would have been nothing to prevent the Allies from dictating a treaty of peace at Paris.

The Convention, fully sensible of the dangers they had escaped, and of those which still threat-

ened them, took prompt and vigorous measures. They ordered an additional levy of 300,000 men, and enforced this decree with the utmost rigour. The army was to consist of ten divisions, over each of which were placed three commissioners of their own body, with absolute control. Dampierre, an officer of tired fidelity, was appointed as the successor of Dumourier.

Ch. 33. — 1793

The allied armies had remained inactive for several weeks, when they were joined by the British contingent of ten thousand men, under the Duke of York. A congress of the numerous Powers at war with the French Republic, was held at Antwerp, to consider the future course of proceeding. Lord Auckland and Count Staremberg, the representatives of England and Austria, took the lead at this Conference. At the instance of Dumourier, the Prince of Coburg had recently issued a proclamation in studied contrast to the famous manifesto with which the Duke of Brunswick opened the first campaign. The Austrian general now declared that the sole object of the Allies was to terminate anarchy in France, and to restore "limited monarchy," according to the constitution of 1791, subject to any modifications which the French people might themselves think proper to adopt; that it was his wish to see these benefits conferred on France by the agency of her own army; that the troops of the Emperor would take no part without the requisition of the French themselves; and that if any fortified post was

The Duke of York in Flanders.

Ch. 33. — 1793

assigned to the Imperial forces, it should be held only until a regular Government was established in France. This proclamation was, by the decision of the Congress, after the treason of Dumourier had been defeated, superseded by one of a more arbitrary character. The Imperial general now declared that the war must be renewed; in other words, that the Allied Powers were in arms, either to restore the Ancient Monarchy, or to exercise any of the rights which the fortune of war might confer. The language of the several joint manifestoes promulgated by the English and Austrian ministers, and which was for the most part dictated by the English minister, was quite as arrogant and offensive as any that had yet been employed by the despotic Governments, and was of a kind hitherto unused in diplomacy. In a memorial addressed to the States General, the ministers of England and Austria recommended the Dutch Government to refuse the asylum to any members of the self-entitled National Convention, or of the pretended Executive Council, who had, directly or indirectly, taken part in the crime of regicide. "Every thing," they proceeded to say, "induces us to consider at hand the end of these wretches, whose madness and atrocities have filled with terror and indignation all those who respect the principles of religion, morality and humanity." Few persons will be disposed to think these, or any terms of abhorrence, too strong as applied to the blood-thirsty miscreants who

were concerned in the murder of the King of France; but the persons designated as wretches in this State paper, were in possession of the Government of France; and the use of such language, therefore, implied, that the object of the war was not merely, or, even mainly, to obtain redress for the insults which had been offered to the English nation, but to invade the territory of France, with the ultimate design of expelling her rulers, and changing her form of Government. The avowal of a similar policy on the part of the French Convention, by their famous decree of the 19th of November, qualified as it was by the condition, that the revolutionary movement should originate in the country to be aided by the French arms, and before it had been followed up, so far as England was concerned, by an overt act, had been considered by the British Government as a justification of the war. The language addressed by Lord Auckland to the States, was, indeed, very different to that of Lord Grenville, in announcing to the ambassador at the Court of St. Petersburg, the grounds on which a war with France was to be justified. In that well considered paper, the Secretary of State declared, that the terms to be proposed to the French Republic, were "the withdrawing their arms within the limit of the French territory, the abandoning their conquests, the rescinding of any acts injurious to the sovereignty or rights of any other nation, and the giving in some unequivocal manner a pledge of their inten-

Ch. 33. — 1793

tion no longer to foment troubles, or to excite disturbances against other Governments.'[f] The like guarded language was employed by the First Minister in the House of Commons. But the diplomatists at Antwerp, untaught by the fatal mistake of the Duke of Brunswick, at the commencement of the war, and unable to understand the difference between a counter revolution, effected by a native army, and one which was to be promoted by foreign bayonets, believed they had only to appear at Paris to be received with acclamation, by a people groaning under a detestable and ignoble thraldom, and panting for the restoration of legitimate monarchy. The royalists, who at least knew the temper of their countrymen, protested in vain against a policy so fatal to their interests.

If it was possible to carry such daring and desperate plans to a successful issue, it surely behoved the allies to avail themselves of the military advantages they had obtained, by pushing forward. But, instead of advancing, the precious time was frittered away in idle negociations with the French Commissioners, which were at length contemptuously terminated by the orders of the Convention, several weeks after the battle of Nerewinden. The heavy mass of the Austrian army moved forward in a lengthened line, extending more than thirty miles. Condé was

[f] *Parl. Hist.* 34, p. 1303.

invested, and the Austrian general, content with this operation, though much superior in force to the enemy, determined to take no further step until he should receive large reinforcements from Vienna. The French army was encamped before Valenciennes, a strong position which Dampierre wished to maintain until the arrival of the reinforcements of which he had urgent need. But the presumptuous insolence of the Commissioners from Paris frustrated the prudent arrangements of the General. He was peremptorily ordered to raise the siege of Condé. The result was, that the French, repulsed at every point, were compelled to retreat with great loss. Again, these devoted bands were thrust forward on the Austrian lines, and again they were driven back, leaving behind them, among a heap of slain, the corpse of their brave commander. As if this were not enough, Lamarlière, the officer who succeeded to the command, made an attack upon St. Amand which covered one of the extremities of the allied army; but was defeated with a loss, according to his own account, of fifteen hundred men.

It was in vain, however, that fortune favoured the slow and hesitating Austrian. He would have remained inactive, waiting for the re-action at Paris in favour of the foreign invader which he still fondly expected; but more vigorous counsels prevailed, and it was determined to attack the French in their position at Famars. After a gallant resistance, the French army was forced to retreat, and

Ch. 33. — 1793

the siege of Valenciennes was consequently formed by the allies. Both Condé and Valenciennes surrendered, after a stout resistance. Mentz, after a protracted siege, fell before another allied army, and again nothing remained to prevent the march to Paris but the infatuated supineness of the Austrian general. After the fall of Valenciennes, instead of pressing forward, the English forces, under the Duke of York, were detached to form the siege of Dunkirk; and Coburg undertook to reduce Quesnoy. Admiral Lord Hood blockaded Toulon, and promised the inhabitants the protection of his fleet, if they would proclaim the monarchy. After a short conflict, the monarchical party prevailed, and the English admiral took possession of the town and port in the name of Louis the Seventeenth.

Liberation of the garrison.

But the operations of the allies, successful as they were, so far from advancing the object of the war, were unfortunately attended with opposite consequences. The garrisons of Valenciennes and Mentz were liberated, on condition of not serving against the allies for a year; but, by a disastrous oversight in the articles of capitulation, these troops, amounting to more than thirty thousand men, were free to act against the Vendéans and the Lyonese, whose insurrections had caused a diversion of the utmost importance to the war. The enemy, taking advantage of this fatal omission, immediately despatched one division of their force to the Rhine, while the other marched into

La Vendée. The consequence was, that the brave Lyonese were overpowered, and subjected to all the horrors of a ruthless military execution. The Vendéans made a desperate struggle, and were promised assistance by the English Government; but before their tardy succours could arrive, the struggle was at an end. The devoted peasantry with their leaders were scattered and destroyed by the disciplined bands of the republic; and, in the desolation of this noble province, the hope of France was for the time extinguished. Ch. 33. — 1793

Reverses now followed in quick succession. The selfish and arrogant conduct of the Emperor put an end to any hope of sympathy and support which the Allies might have justly expected from the French people. The way in which the Vendéans and Lyonese were left to their fate disheartened the loyalists. Condé and Valenciennes, after their surrender, were taken possession of in the name of the Emperor, and not in the name of Louis the Seventeenth. This occupation of two great towns, part of the territory and of the ancient monarchy of France, made it manifest that the Imperial arms were engaged in a war of conquest and aggrandisement; and that instead of coming to the aid of a sovereign oppressed by a cruel and unnatural rebellion, the Emperor of Austria desired to take advantage of the misfortunes of a kinsman and ally for the furtherance of his own ambition. Monsieur, the first prince of the blood, protested, on the part of his infant nephew, the captive heir

Ch. 33. — 1793

of France, against these treacherous acts of spoliation, which indeed created the deepest disgust, not only among Frenchmen of every class and party, but in every just and generous mind.

Defeat of Freytag.

The vigour and promptitude of the republican Government contrasted strongly with the tardiness and hesitation of the allies. Hardly had the siege of Dunkirk been formed, before the garrison was increased from three thousand to more than fifty thousand men. The generals and other officers, who had been hitherto unsuccessful, were replaced by other generals and officers who knew that the alternative was the triumph of the French arms or the guillotine. Hitherto the allied forces had been superior in all arms; but now the enemy had collected reinforcements, and concentrated his strength. Houchard, the republican General, was peremptorily ordered to hold Dunkirk. In pursuance of these instructions, the republican general attacked and routed the covering army of the Austrians, under the command of Field Marshal Freytag. The besieging army, under the Duke of York, was thus left exposed to the whole French force, consisting of the army in the field, and the garrison of Dunkirk. The British commander, thinking it hopeless to maintain his position in the presence of such a force, made a hasty retreat, leaving behind him the battering train, and the greater part of his artillery, magazines, and stores. In this disastrous and disgraceful manner, ended an expedition, which, had it been completely

successful, would not have advanced the object of the war a single step. The Duke of York was permitted to effect his retreat without molestation; but the rulers f France thought that their general had deserted his duty, because he had not pursued the British, and driven them into the sea. Houchard, who had won the battle of Lincelles, and raised the siege of Dunkirk, instead of being loaded with honours and rewards, was superseded in his command, summoned to Paris, arraigned as a traitor before the revolutionary tribunal, condemned for favouring the escape of the allies, and sent to the scaffold. Toulon, the only place of importance of which the allies had yet obtained possession — Toulon, the great arsenal of France, which had opened its gates to the British, and raised the standard not of Austria, but of Louis, was not thought of so much account as some petty fort in Flanders. The royalists of this great port had relied on the powerful and efficient support of England and Austria; but their hopes were not fulfilled. The important posts and positions which commanded the town, were defended, not by British and German veterans, but by scanty garrisons and detachments of Spanish and Neapolitan troops. The insurrection at Lyons being quelled, the victorious army of the Rhine appeared before Toulon; they were accompanied by a powerful artillery; and this arm was chiefly under the direction of a young officer whose terrible name then became known for the first time. It was Napoleon Bonaparte,

Ch. 33. — 1793

Ch. 33. 1793

who pointed the guns which battered down the defences of Toulon. While the French were carrying position after position, the allied commanders were quarrelling in the town; and when it became apparent, that the place must be abandoned, it was with difficulty that the English Admiral could persuade the Spaniard to concur in a measure so obvious as the destruction of the French fleet in the harbour. This object was only partially accomplished, when the advance of the enemy compelled the allies to make a hasty retreat; leaving the inhabitants of the city, for the most part, to a fate similar to that which had befallen the devoted Lyonese.

Surrender of Quesnoy.

Quesnoy having surrendered to the Austrians, after a short siege, the Prince of Coburg proceeded to invest the more important fortress of Maubeuge; but the Republicans found it was time to make a vigorous effort, if they would prevent the whole chain of forts, which guarded the western frontier of France from falling into the possession of the Allies. The garrison of Maubeuge, consisting of fifteen thousand men, ill provided for a siege, after several attempts to dislodge the besiegers, were at length forced to retire within their entrenchments. A large army, under Jourdan, was sent to relieve the place; and, after many desperate encounters, the Republican General succeeded in cutting off the communications of the Austrian army, which was, therefore, compelled to raise the siege, and re-cross the Sambre.

The French then made an irruption into West Flanders, but after some success, were repulsed at all points. Both armies shortly after withdrew into winter quarters.

The Prussians at Mentz.

But the campaign in Flanders, though conducted with a want of vigour and capacity, and attended with results far from commensurate with the means and opportunities of the Allies, was successful, and even glorious, when compared with the achievements of the German armies on the Rhine. While the Prince of Coburg was taking French towns in the name of the Emperor, the Prussians, content with the possession of Mentz, remained inactive. They were at length aroused by a formidable effort on the part of the French to retake Mentz. After this attempt was repulsed, the Allies suffered another precious month to pass away without making any movement. At length it was determined to advance into Alsace; but hardly had this movement been made, when it appeared that the views of the Allies, instead of being directed to a common object, were intent on particular and selfish views. Strasburg, like Lyons, Marseilles, and Toulon, was willing to open its gates to a garrison which would take possession of it in the name of Louis the Seventeenth. But the Austrians desired to restore Alsace to the Empire; while the Prussians were opposed to the aggrandisement of their rival. Between the two German Powers, Strasburg was sacrificed. Two emissaries of the Rule of Terror

Ch. 33. — 1793

arrived from Paris. The Royalists at Strasburg were immediately put to death, together with every member of the Municipality. Not only the town, but the whole province, was laid under contribution. Many of the unoffending inhabitants were murdered, and nearly fifty thousand persons were driven, or fled into the German provinces on the Upper Rhine. A great army was formed on the Moselle; one division of which was commanded by Hoche, and the other by Pichegru. The Allies, having thus sacrificed Strasburg, laid siege to Landau; and the Austrian General Wurmser issued a proclamation, inviting the terrified and helpless Alsatians to renounce the dominion of France, and rejoin the Empire, to which Alsace had formerly belonged, in pursuance of the Treaty of Westphalia. This proclamation had nearly caused an open rupture between the Austrians and Prussians. The immediate result was that the siege of Landau was raised. The Prussians fell back, and the Allied armies no longer acted in concert. The enemy, united, and full of ardour, took prompt advantage of their dissensions; and, after a series of engagements, in which the losses on both sides were enormous, the Prussians retreated upon Mentz; the Austrians, finally abandoning Landau, evacuated the French territory; and, re-crossing the Rhine, encamped the shattered remains of their army under the guns of Mannheim and Philipsburg. At the end of the year, the great allied army of the Rhine

retained possession only of their original conquest, the fortress of Mentz. The campaign was creditable to the discipline and bravery of the troops. They were engaged in numerous pitched battles, and in arduous military service of every kind; yet, had the conduct of the generals been equal to the courage and constancy of their soldiers, it is doubtful whether a different fortune would have attended the campaign. It was not by superior military skill that the Allies were worsted; the leaders of the Republican armies were seldom successful in their manœuvres. Wurmser, the Austrian General, was quite equal to the Hoches and the Pichegrus, who were sent against him. He was a veteran well versed in the arts of the old German school of war; and in the terrible campaign, when Napoleon led the army of Italy, Wurmser was his most respectable opponent. The Duke of Brunswick, though wanting in the higher moral qualities of decision and firmness, was an officer of skill and reputation. But while the German Sovereigns made the common cause subordinate to their own selfish objects, and were more jealous of the aggrandisement of each other than of the progress of the common foe, it was in vain that they contended against a great military people, defending their own soil, led, or driven on, by desperate men, conscious of inexpiable crimes, and animated by a mingled fear and hatred of their adversaries. Had prompt and effectual support been given to the Vendéans and the Lyonese, it is

Ch. 33. 1793

highly probable that a general insurrection would have welcomed the foreign armies, which came to deliver the French nation from the ignoble bondage in which it was held. But the fate of these generous rebels, abandoned, almost without an effort, to the vengeance of their infuriated tyrants, deterred others from following their example; while the baseness of the Austrians, in taking advantage of the helpless condition of a kinsman and ally, to despoil him of his dominions, under pretence of coming to his aid, revolted every lover of his country, and made him think that before he sought his deliverance from domestic thraldom, it behoved him to expel the foreign invader.

Captures in the West Indies.

In accordance with this brief summary of warlike operations, it remains only to notice the further proceedings of the British Government in the prosecution of the war. They were few and unimportant. In accordance with the precedents of wars with France, and, apparently from no other motive, an expedition was sent to the West Indies. Tobago was taken after a slight resistance. St. Pierre and Miquelon, which were defended neither by fortifications nor soldiers, yielded when summoned. An attack on Martinque failed; and a more ambitious attempt on St. Domingo was partially successful; a few forts were surrendered to the English; but not meeting with the co-operation which they had been led to expect from the Royalist inhabitants, they could not obtain a firm footing in that extensive island.

In the East Indies, the Governments of Bengal and Madras took possession of the French factories. Pondicherry alone was in a condition to make any resistance; but after a short siege, the French Commandant was compelled to surrender at discretion.

End of the first campaign.

Thus terminated the first year of a war in which the three greatest powers in Europe were arrayed against France. A few minor fortresses on the frontiers of the Netherlands and a single town on the Rhine, were all the conquests which vast armies could achieve, with a lavish profusion of blood and treasure. Early in the campaign, jealousies sprung up between the two German Powers, frustrated their military plans, and ended in a premature dissolution of their alliance; while the French, distracted by domestic anarchy and treason, having entered upon the war with the energy of desperation, were already exulting in victory, and forming schemes for the chastisement of their insolent foes. England, though as yet she could boast of no brilliant, or even useful, achievement, had cherished no designs of aggrandisement; but had acted loyally in behalf of the cause for which she took up arms. It was, indeed, the desire of the British Government to adhere strictly and literally to the ground of their declaration; accordingly, the Duke of York was ordered to remain on the defensive in Holland; and his taking part in the siege of Valenciennes was without the orders of his Government, and contrary to the tenor of his

Ch. 33. — 1793

instructions.[g] The siege of Dunkirk, the principal operation in which the British forces were particularly engaged, was undertaken rashly, and ended disastrously. Had it been completely successful, it would have been utterly useless. If the few troops which England was then prepared to send out, instead of being despatched in fruitless enterprises, had been employed in aiding the French people at those points where they had risen against their tyrants, the fate of France and Europe might have been changed. Timely reinforcements might have saved Toulon and La Vendée; but while the flower of the English army were rotting in the trenches before Dunkirk, or lodged in the mole of Domingo, a few Hessians were considered sufficient to relieve the terrible exigency of Toulon; and the noblest people that ever rose in the cause of freedom were left to perish in their agony for want of timely succour.

On the part of the French, the war was conducted, at all points, with the utmost vigour and ability, at the time when Civil Government was nearly extinguished amidst the strife of faction in the capital. The Girondists, clever and accomplished, but with little knowledge of mankind, or the art of Government, had dreamed of a Republic, in which eloquence, and a fantastic profession of public virtue, were to guide the fortunes of the State. But they had neither skill nor courage to

[g] Sir J. B. Burgess's Notes.—*Locker* MSS.

moderate the wild elements of democracy which they had raised. The Jacobins, on the other hand, insisted on carrying the democratic theory to its extreme consequence; they asserted the right of the people to rule by the immediate expression of their will; and they denounced, as anti-popular and counter-revolutionary, those arts, by which men of education and rhetoricians have sought to influence public opinion, and thus draw all real power into their own hands. The sentimental and romantic school of politicians, so long as they were content to be carried down the torrent, flattered their vanity with the idea, that they were the guides and leaders of liberty. But when they attempted to stay the raging waters, they were overwhelmed. They sank after a faint resistance; and, instead of earning the respect and sympathy of mankind as martyrs in a great cause, their fall was rather viewed with derision, as that of pedants and coxcombs, whose rank and ignorant presumption had wrought irreparable mischief. The Revolution, which could neither be stopped nor turned aside, but must run its fearful course, was now to be hurried forward by fiercer spirits. The Jacobins, having, by the expulsion and proscription of their rivals, obtained the ascendancy in the Convention, proceeded to deprive that body of all political power, by delegating the supreme executive authority to a committee of their own number. At the same time, the cognizance of political offences was withdrawn from the regular tribunals, and

Ch. 33. 1793

vested in an extraordinary Court, which soon acquired a terrible notoriety, as the 'Revolutionary Tribunal.' The machinery of tyranny and murder being thus completed, liberty and law were no longer any protection to the citizen. Political offences included every thing which the fear and malice of a jealous despotism could suggest. Cartloads of victims were every day and hour dragged from the hall of the Tribunal to the place of slaughter. The Girondists, who had not effected their escape, were the first to suffer. Then followed a crowd of aristocrats, who, though for the most part, guilty of no overt act against the Republic, were, doubtless, justly accused of disaffection.

In the midst of this proscription of all that was eminent and respectable, it was to be expected that one exalted personage, who, from the commencement of the Revolution, had been regarded with malignant eyes, would meet her fate. The head of Louis had fallen in January, yet, in October, his widowed consort still lingered in her dungeon. The execution of the King, though wholly unprovoked by his personal character and conduct, was redeemed from utter atrocity by political fanaticism; but the murder of Marie Antoinette, was a wanton indulgence of a savage lust for blood. The once brilliant Queen of France was no longer a formidable enemy, if she ever had been such, to the Republic. Since the death of the King, she had been kept in close confinement, secluded from intercourse with every body but her child and the

Princess Elizabeth. At length, in the process of the torture to which she was to be subjected before death, even these two dear companions of her captivity were torn from her; and she was confined to a filthy cell in the prison of the Conciergerie. There the illustrious lady might have hoped that no length of time was to elapse before she should arrive at the final stage of her sufferings. But the Queen was doomed to nearly three months of misery and insult, before she was conducted to the welcome guillotine. A few days after the murder of Marie Antoinette, another member of the Royal Family was brought to the scaffold. Among the prodigies of wickedness which the Revolution had produced, Philip, Duke of Orleans, was, by common consent, foremost in the race of infamy. This prince, after a youth wasted in the foulest debauchery, had conceived the idea of converting the misfortunes of his country and his family to his own purposes, by supplanting his kinsman on the Revolutionary throne of France. With this view, he had used every art and influence to irritate the causes of discontent, and to precipitate the convulsion which he might have done much to avert. He thought to gain the favour of the populace by flattering their humours, and by a servile compliance with all their demands. At length he renounced his rank and name, assuming the ridiculous appellation of Egalité. It was now thought that he had reached the lowest depth of degradation; but it remained for this recreant prince and gentleman to commit one

Ch. 33.

1793

Ch. 33. — 1793

more act of mixed atrocity and baseness, which the history of the world cannot equal. Without the criminal motive which formerly actuated him, for he could no longer hope to revive, in his own person, any form of monarchy—without even the necessity of self-preservation, for he might have fled—Philip of Orleans, while the fate of the captive king depended on the vote of the Assembly wavering between banishment and death, declared for death. The feelings of human nature were not yet wholly extinguished even in the French Convention; for when the revolting sentence was uttered by such lips, a burst of execration burst from every part of the hall. The wretched Orleans sealed his own doom on that dreadful day. For some time he was suffered to remain at large, a mark for universal horror and scorn. At length he was thrown into prison, and a few days after the murder of the Queen, was dragged out, and, after having been put through the usual form of an iniquitous trial upon charges too frivolous or indefinite to admit of answers, was hurried to the place of execution.

The frenzied career of democracy now became accelerated, and rapidly approached that utmost limit, when a reaction must take place. It was but natural, that the perpetrators of the enormities which form so large a part of the history of the French Revolution, should reject the idea of a ruling providence, and a future state of retribution. Accordingly, the existence of a Deity was denied,

religion was abolished, and its ministers were interdicted from performing any of the rites or offices of the Church. Reason alone was thenceforth to be the guide of mankind, and the Reason which these votaries worshipped, was aptly represented by a half-witted prostitute, who was publicly exhibited, and set up in the cathedral of Notre Dame, as the emblem of the new creed. With the view of removing every association connected with religion from the minds of men, the calendar was revolutionized. The names of the seasons, the months and days, were altered; and a new division of time, which set at defiance the law of nature itself, was declared to be the law.

The rule of terror.

But the oppression of the rule of Terror was mostly felt in the capital, and in the municipalities, where any sign of disaffection was immediately detected, and visited with condign punishment. Yet, even in Paris and the large towns, where the Committee of Public Safety had few friends, there were, perhaps, fewer still who desired the restoration of the old Government as it existed before the demolition of the Bastille. Absolute monarchy may be endured, as it is endured throughout the greater part of civilized Europe; but, under a pure despotism, or paternal Government, though there may be distinctions of rank, and a social separation of classes, there is political equality, if not freedom; and, under many despotisms, especially those of the modern fashion, a measure of practical

Ch. 33 — 1793

freedom has been enjoyed which is not always ascertained under more regulated forms of Government. But a despotism combined with a privileged order, claiming immunity from the common burdens, assuming a right to impose burdens and restrictions on other classes, and excluding the rest of the community from any participation in the honourable and profitable service of the State, constituted a system of tyranny, oppression, and injustice, which no people of spirit and intelligence could endure. Every young Frenchman born in the third estate, which comprised the whole nation except the sovereign and nobility, found himself hopelessly shut out from all the higher offices of the Church, the State and the Military Service. The cultivator of the soil found in every hamlet a petty tyrant in the Seigneur who could rob him of his labour, or ruin him by burdens which he could not bear. These men might not like the Committee of Public Safety and the Revolutionary Tribunal; but they never thought of bringing back the privileged orders, of setting up again the barriers which closed the career of life to merit and ambition, of re-establishing the *taille* and the *corvée*. And every Frenchman would have preferred the worst Government, which despotic and feudal institutions, or the crazed infatuation of his countrymen, could inflict, rather than submit to a Government dictated by a foreign Emperor or an invader of his country. The proclamation of the

Duke of Brunswick and the occupation of French territory in the name of a foreign potentate, made domestic affairs a secondary consideration. Military glory and the integrity of the empire were of the first importance; and the three-coloured flag became the emblem of national independence, as well as of civil liberty.

Conduct of the Whigs.

The energy and fire with which the French people and their Government repelled the invaders of the country and defied the armaments of Europe, contrasted forcibly with the listlessness and hesitation of their numerous and powerful enemies. England alone shewed a determination to persevere in the war. The whig party, which had maintained an unbroken consistency of opposition to the American war through its various fortunes, which had survived the disasters of the Coalition, and which had held together during long years of hopeless opposition, was disbanded and scattered by events which should have rallied and consolidated the great party of the Revolution. When Fox, with the generous impetuosity of his nature, hailed the first outbreak of French liberty, some of his oldest friends and supporters were silent. They thought his congratulations premature, and his language too strong. In memorable phrases, the great orator pronounced the French Revolution to be the most stupendous and glorious edifice of liberty which had been erected on the foundation of human integrity in any age or country. This language was used at a time when violence and injustice of the grossest kind had been perpetrated

Intemperate language of Fox.

Ch. 33. — 1793

by the popular party in France. But an English statesman, the leader of that famous party which had always been foremost in the struggle for liberty, might well declare his sympathy for the cause in which the French people were engaged without approving of the outrages on the royal family, or the sweeping demolition of the whole fabric of their ancient Government. No man who was acquainted with the state of the Government and people of France before the Revolution, would have been disposed to measure nicely the excesses of the people in the first transport of their emancipation from a tyranny, perhaps, the most odious that ever, for any length of time, oppressed a civilized nation. The case of France was not a case for reform. It was not even a case for a mere political revolution. Organic change was demanded not only in the institutions, but in the moral and social condition of the country. The necessity could hardly have been avoided of breaking up the whole system of society, and laying it down anew. A just discrimination between the state of France and the state of England, would have gone far to allay those fears of the contagion of French principles, which the speeches and writings of Burke did so much to inflame. There were faults in our institutions, but the institutions themselves were sound; our representative system, which was the most faulty, contained all the elements of a free legislature, and required only moderate reform to make it efficient, if not perfect. We had a Crown with a limited

and defined prerogative; we had an aristocracy without exclusive privileges; we had an established church with complete toleration, while every office in the state, and every occupation in the country, was open to merit and ambition. A Government like this had nothing to fear from the example of a nation delirious with liberty. A few enthusiasts, and a few malcontents embittered by disappointment, or seeking advancement, which they could not fairly earn, might dream of a democratic republic; but the sense of the nation was favourable to institutions, under which Englishmen had enjoyed a greater amount of liberty and prosperity, than any other people in the world. Men of sober judgment saw no ground to fear that the populace of London would break into Windsor Castle and carry George the Third by force to St. James's; or that the House of Commons would be overawed by a Jacobin club, or that the Goddess of Reason would be worshipped in Westminster Abbey. But the arguments used by the most eminent assailants, and by the most eminent defenders of the French Revolution, were equally calculated to pervert public opinion in this country, and to precipitate a war which temperate counsels might have averted. Burke, who maintained that every thing the French had done since 1789 was wrong, and that they had wantonly destroyed instead of amending their old institutions, always inferred, and sometimes asserted in terms, that there was no material

Ch. 33. — 1793

distinction between the case of the French people in 1788 and the case of the English people a century before. But, in fact, no two cases could be more unlike. A monarchy which, for centuries, had gone on adding prerogative to prerogative; an aristocracy which enforced the feudal privileges of the middle ages with unabated rigour; a church which tolerated no freedom of conscience, were treated on the same footing with a monarchy which had been reduced within narrow limits by the incessant assertion of popular rights; with an aristocracy which had no exclusive privileges; with a Church which was at once the offspring and the emblem of religious freedom. In 1688, the people of England had been long in possession of their liberties. Their title to freedom of the person, they traced back for nearly five hundred years. They obeyed no laws which were not made by the joint authority of king, lords, and commons in parliament assembled; they paid no taxes but those which were imposed by their own representatives. And when the king stepped beyond the limits which the Constitution had prescribed, and assumed to dispense with the laws of the realm, the nation declared that he had violated the implied compact under which he reigned, and thereby forfeited his crown. If the people of England were justified in their act, much more were the people of France justified in rising against their Government. It was no question of a mere excess of prerogative with which they had to deal. The whole of their

liberties had to be conquered. They had no Magna Charta, no Habeas Corpus, no trial by jury, no House of Commons. Finally, the existing generation of this people had been taught, by their deepest thinkers and most brilliant writers, that liberty and equality were the birthright of man; that the true models of Government were the republics of the ancient world; that the Christian religion was an absurd falsehood; that there was no religion but virtue; and that the act of Brutus was the perfection of virtue.

Moderate proceedings hardly to be expected in France.

In such circumstances, it was hardly reasonable to expect, that the French people would proceed with the moderation of the statesmen who completed, in 1688, the noble edifice of liberty, in the erection of which their predecessors, for many generations, had incessantly toiled. No temperate remonstrances would have induced even the mild and indolent Louis to give up his Beds of Justice; to throw open his Bastille, and to restore to his people those free institutions, of which his ancestors, for upwards of four hundred years, had deprived them. No temperate remonstrances would have induced the privileged orders to give up their immunity from the common burdens, and their right to grind the faces of the poor.

In 1640, and in 1688, the English people conquered their freedom, under the guidance of their foremost statesmen and gentlemen, who had a common interest in the good old cause. But it

Ch. 33. — 1793

would not have been a very hopeful undertaking for the people of France to attack the Crown, the church and the nobles, under the guidance of the philosophers and men of fashion, who talked infidelity and democracy in the saloons of Paris. The third Estate, therefore, deprived of their natural leaders, the Seigneurs and educated politicians, sent up to the Assembly of the States-General, provincial lawyers, curates, and local men. These representatives, imperfectly educated, but with more knowledge of books than of men, ignorant of political affairs, but animated with a keen sense of wrongs, suddenly found the whole power of the State, from any share of which they had hitherto been excluded, transferred to their hands. The Third Estate was permitted to outnumber the privileged orders in the States-General, and the Royal edict, which summoned two representatives of the Commons for every member of the privileged order, having left the all-important question of the mode of voting, an open question, the Third Estate took advantage of their majority, and insisted, in spite of the strenuous opposition of many who only regarded the proposition as derogatory to their dignity, and of the few who saw the terrible consequences of such a step, that the States should sit and vote in a single Chamber. From this commencement, the Revolution proceeded with accelerated speed, and soon swept away the pedants and rhetoricians who vainly thought to control its tremendous career.

Ch. 33. 1793

Burke, in directing the public opinion of this country against the doctrines and excesses of the French Revolutionists, put out of sight altogether the causes which had led to it; nor is there a passage in his speeches and writings on this subject, from which it can be inferred that the people of France had any justification whatever for rising against their Government. Fox, on the other hand, who undertook to defend the Revolution, instead of dwelling on the provocation which the French people had received, excused their excesses, and missed the solid ground of defence which alone was tenable. By this shallow and unskilful advocacy, the Whig leader, not only strengthened the case of his opponent, but discredited the principles from which the traditions of English liberty are derived.[h] The cause of freedom was not to be vindicated by palliating the acts of fanatics, anarchists, and murderers, whose folly and wickedness could not fail to discredit, if not ruin, any cause with which they were associated. A temperate argument, setting forth the grievances of the people of France under their

[h] "On Friday night, Charles [Fox] told us distinctly that the sovereignty was absolutely in the people; that the monarchy was elective, otherwise the dynasty of Brunswick had no right, and that when a majority of the people thought another kind of government preferable, they undoubtedly had a right to cashier the King."—*Lord Sheffield to Lord Auckland.*—(*Memoirs*, vol. ii. p. 499.) These may be good democratical principles; but they certainly are not Whig doctrine.

Ch. 33. 1793

old Government, and justifying a revolution by the exigency of the case, might well have been sustained on Whig principles; but when the Whig leader defended the French Revolution, in the style of Paine, the American democrat and atheist, men who understood and valued true freedom, thought it time to separate themselves from a leader so undiscriminating and rash. Fox, it is true, did not in terms support the people who had undertaken to propagate the doctrines of the Parisian clubs in the metropolis and the large towns, but his language and conduct were calculated to aid and encourage these emissaries of sedition. While he extolled the French constitution as the perfection of wisdom and virtue, he omitted to qualify this eulogy by any approval of the British constitution. He was, indeed, content that titles and distinctions of ranks should be preserved in countries which had adopted them; but he avowed his preference for the formulary of the Rights of Man, which declared all men free and equal. And throughout all the discussions on this subject, Fox will be found to assent, with a cold and formal profession, to the institutions of his country, while all the force of his eloquence, and the warmth of his nature, are exhibited in sympathy with the French revolutionists.

Conduct of Pitt.

While Burke and Fox were thus distracting public opinion by the vehemence with which they enforced the extreme of opposite views on this great question, there was one man of pre-eminent

authority who might have interposed to moderate the violence of debate. Pitt, for a long time, referred to the domestic affairs of France, with the reserve which became his position. The son of Chatham looked with no unfriendly interest on the struggles of the French people, to free themselves from corrupt despotism and feudal oppression. But he was willing that the French people should be left to work out their liberties in their own way. On that memorable night, when the rupture between Fox and Burke first agitated the House of Commons,[1] Pitt adverted to the great question in controversy, in just and liberal terms. He touched leniently on the excesses which had already marked the rapid progress of the Revolution, and declared, that he could not regard with jealousy the approach of a neighbouring nation to those sentiments which had so long been characteristic of his countrymen. But while the great minister maintained his own equanimity, he made no effort to check the alarm, which the violence of partisans on either side equally contributed to excite. Corresponding clubs, debating societies, the tracts and harangues of demagogues, might safely be left to the good sense and good temper of a country whose liberties had long since been secured, and which was at that time

Seditious clubs.

[1] February 9th, 1790, on the Army Estimates. The final breach did not take place till the 11th of May in the following year, in the debate on the Quebec Bill.

Ch. 33. — 1793

more prosperous and better governed than at any former period of its history. The country gentlemen, however, took the alarm; every foolish paragraph was magnified into a seditious libel; social meetings were turned into conspiracies; disturbances in the streets became tumultuous assemblies.[j] The Home Office was inundated with letters from justices of the peace, reproaching the Government with their supineness, but seldom furnishing authentic information upon which proceedings could be instituted. A few words from Pitt might have

May 21, 1792.

sufficed to allay these unfounded and mischievous fears; but, instead of stopping the panic, he yielded to it. In May of the preceding year, many months before they entertained any serious apprehensions for the public peace, the Government issued a proclamation against tumultuous meetings and seditious writings; they instituted a foolish prosecution against Paine, who immediately withdrew from their jurisdiction; and from his secure retreat at Paris, treated the futile verdict against him with ridicule and scorn. It was not until within a few weeks of the declaration of war, that Pitt shared, in any degree, the fears, which brought over so many of his political opponents to the support of Government, and rallied round him as the champion of order, all the friends of the Monarchy, the Church, and the Constitution. It was the discovery of the

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j Lord Grenville to the Marquis of Buckingham.—*Courts and Cabinets of George III.* vol. ii. p. 226.

French plot, or the supposed French plot, to revolutionize this country by an armed intervention, which first shook the firm mind of Pitt.[k] From that time, he determined to suppress freedom of opinion in this country, by force of law; and he contemplated the early suppression of the Revolution in France, by a counteractionary movement, with the aid of foreign arms.[l]

Exasperation of France.

From the first, therefore, the war was regarded by all ranks of people in this country as a war against French principles, and especially against the existing Government and rulers of France. It was viewed in the same light by the French themselves, and, though the military demonstration of this country was on a very small scale when compared with the armaments of Austria, yet the

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[k] See ante, p. 3 note. It seems hardly credible, that the ministry should have attached so much importance to a tale which, according to his own statement, Burgess first heard from a foreigner whom he met in the street. After the Cabinet, which sat till four in the morning, Burgess relates that Pitt sat musing over the fire, and then turning to him, asked, "What he thought of the state of affairs?" adding, "probably, by this time to-morrow, we may not have a hand to act or a tongue to utter." He then said that nothing could save the country but a war.—*Locker* MSS.

[l] "It will be a short war," said Pitt to his friends, "and certainly ended in one or two campaigns." "No," said Burke, "it will be a long war and a dangerous war, but it must be undertaken."—*Life of Wilberforce*, vol. ii. p. 10. Lord Grenville also thought the conflict would be promptly decided, "I am much mistaken in my speculation," he writes to his brother, 15th September, 1793, "if the business at Toulon is not decisive of the war."—*Courts and Cabinets of George III.* vol. ii. p. 241.

Ch. 33. — 1793

accession of England to the league against France, was considered at Paris an event of the gravest importance; and the Convention paid Pitt the compliment of voting him an enemy to the human race. The Opposition to the war could not muster much more than a score of supporters in the House of Commons. And, while such men as the Duke of Portland and Windham avowed, that until some Government, with which it would be safe to treat, should be established in France, the war must go on, it was evident that England had virtually adopted the new principle set up by the despotic Powers, that the subversion of the domestic Government of an independent nation was a legitimate object of war.

Repressive measures of Pitt.

The measures taken by Government for the repression of democratic opinions in this country must now be noticed. These proceedings were not dictated by the judgment which had hitherto characterised the administration. Among the liberties which Englishmen most highly prize, is the liberty of giving utterance to their opinions, both by speaking and writing; and they have always regarded with jealousy any attempt to impose restrictions on this privilege. The long conflict between the Bench and the Jury-box, with regard to the right of determining the character of offences charged against the press, had recently been closed by the law, which restored, or rather transferred, to the popular branch of the court, the exclusive determination of such questions.

Since the Revolution, the Government had seldom resorted to the law for the purpose of coercing the license of public opinion. During the present reign, although provocation had not been wanting, the press had been rarely prosecuted. Wilkes, and the publisher of Junius, indicted for libelling the King; and Horne Tooke, for charging the troops with murder in the American war, were the only State prosecutions which had been instituted, since the accession of His Majesty. The obscure libellers of the first half of this reign were never thought worthy of such an antagonist as the Attorney-General. They were either left unnoticed, or were left to be dealt with by hired scribblers equally obscure.

Indiscriminate Prosecutions.

But now a change was to take place. That wholesome freedom of speech, in which the people had been so long indulged without detriment, was no longer to be permitted; and an attack was to be made on the liberty of speaking and writing, such as had not been attempted since the time of Charles the First. There may be times and seasons of trouble in the best ordered Government, when the malignant promoters of sedition and discontent should not enjoy a contemptuous impunity. With France, in the agonies of a democratic revolution, a minister of this country might well feel some anxiety on account of the glaring defects in the popular part of the British constitution; and some restraint on the tongues and

Ch. 33. 1793

pens of incendiaries would be one of the measures of precaution to be considered in such circumstances. But instead of selecting, for prosecution, a few prominent offenders, about whose guilt and powers of mischief there would not be much difference of opinion, the Government made an indiscriminate attack upon all persons whom their spies and informers reported as having given utterance to any expression of discontent with the existing order of things. Not satisfied with instructing the law officers to prosecute in every case when an information could be laid, the Government sent agents into the country to collect materials for indictments at Quarter Sessions[m]—tribunals quite unfitted to try political libels. Of the numerous cases thus tried, it would be difficult to find one which was not more calculated to bring the Government and the institutions of the country into hatred and contempt, than the words and deeds so charged against the prisoners. A poor ignorant bill-sticker was sentenced to six months' imprisonment at the Clerkenwell Sessions, for posting up an Address from the Corresponding Society relating to Reform in Parliament. At the Essex Sessions, a disbanded soldier was sent to six months' solitary imprisonment for some idle words about the King and the Government. A man of some education, was tried before the

Severe sentences against inferior agents.

[m] Lord Grenville to Lord Buckingham, Nov. 14, 1792.—*Courts and Cabinets of George III.* vol. ii. p. 227.

recorder of Newcastle for publishing a seditious libel; the publication consisted in the fact of the witness having snatched the manuscript containing the alleged libel from a friend to whom the prisoner had been induced to lend it. The jury, however, had sense enough to acquit the prisoner. Another individual, not so fortunate, was sent to prison for twelve months, by the recorder of Manchester, for uttering some seditious words of which nobody but the informer had taken any notice. These are examples of the proceedings adopted to vindicate the law, and to protect the institutions of the country, in the inferior provincial courts. The cases, selected for prosecution in the superior courts, were still more numerous; but, with the exception of the charges against Paine, which were rendered futile by his withdrawal from the jurisdiction; none were of a flagrant character. So far from establishing a necessity for resorting to the extraordinary powers of the law, these trials proved that seditious practices were confined to a few obscure individuals, and that, wherever the conduct of such persons attracted attention, it generally called forth expressions of resentment and disgust.

Society for Constitutional Information.

One of the earliest cases tried, and one to which the Government attached great importance, was that of John Frost. This man had been a member of a political club called 'The Society for Constitutional Information,' established during the American War, mainly for the purpose of promoting

Ch. 33. — 1793

a reform in the representation of the people. The founders of this Association were some of the leaders of the Reform party; and at one time it comprised the Duke of Richmond, Fox, Sheridan, and Pitt; Mr. Wyvill of Yorkshire, Major Cartwright, and Horne Tooke. Universal Suffrage was declared, on the authority of these eminent names, to be the only true basis of the representation; and an annual recurrence to the constituency was also held to be indispensable. When it was discovered that such conditions were not quite compatible with a mixed constitution, and possibly not with monarchy on any terms, some of the more distinguished members withdrew; but among their associates, who knew from the first what universal suffrage and annual parliaments meant, was Mr. Frost; and he thought the French Revolution offered a fitting opportunity to push the doctrines of the Society to their natural consequences. He became, therefore, an active member of other Associations professing the same object as the Society for Constitutional Information, but directed to more practical aims. Frost was an attorney of broken fortunes and doubtful character. He had lived lately in France, and was in correspondence with the leaders of the Convention. He was a man of energy and address, and, in troubled times, might have been dangerous. The Attorney General thought him of sufficient importance to be the subject of a criminal information; though the particular offence with which he was charged had no

reference to his political convictions, and was, in itself, of no grave character. He had been heard to say, at a coffee house, that he was for equality and no king — language which was often idly used at that excited period, and which might mean no more than a speculative preference for a republican form of Government. The company resenting such an expression of opinion, turned Frost out of the room; a punishment which would have seemed sufficient for the offence. But the jury, under the direction of Lord Kenyon, a high prerogative judge, found him guilty of seditious words, and the Court of King's Bench sentenced him to six months' imprisonment, to stand in the pillory, to find security for good behaviour, and to be struck off the roll. The only effect of this prosecution appears to have been the elevation of Frost to the honour and advantages of political martyrdom. Hudson, another coffee-house politician, was indicted for using some gross language about the King, and proposing, as a toast, 'The French Republic.' The company, however, drank the King's health instead, and Hudson, with a companion, Pigott, author of a scurrilous publication called 'The Jockey Club,' were given into custody. Hudson was indicted at the Old Bailey, convicted and sentenced to a fine of two hundred pounds, with two years' imprisonment.

Prosecution of Winterbotham

A dissenting preacher, named Winterbotham, was, with more reason, punished for abusing his pulpit by teaching seditious doctrine. His defence,

Ch. 33. — 1793

indeed, was a denial of the language imputed to him; but the jury, after considerable hesitation, found him guilty on two charges founded on different sermons. By an unusually harsh sentence, he was condemned to a fine of one hundred pounds and two years' imprisonment in respect of each offence. But the most indefensible prosecution of this class was that of one Briellet, a working mechanic, who was indicted for railing against kings, and vociferating for a revolution. He was condemned to a year's imprisonment, to a fine of one hundred pounds, and to find heavy security, — a sentence equivalent to the ruin of a person in that rank of life.

Duffin and Lloyd's case.

There was, however, one of the State trials which surpassed all the others in absurdity, if not in oppression. Two debtors, named Duffin and Lloyd, were inmates of the Fleet Prison, at the end of the last year. Lloyd was a prisoner in execution; but Duffin was detained on mesne process, a law (long since happily abolished), by which any man could, at a moment's notice, be deprived of his liberty by the unsupported oath of another. One of these persons conceived the idea, which he communicated to the other, of writing a lampoon, in the following terms:—'This house to let. Peaceable possession will be given by the present tenants, on or before the 1st of January, 1793, being the commencement of the first year of liberty in this country. The Republic of France having rooted out tyranny, Bastilles are

no longer necessary in Europe.' A small scrap of paper, containing these words, was stuck on the Chapel door, after the fashion of a Churchwarden's or Overseer's notice. The paper was immediately removed by a turnkey, who had seen it affixed by Duffin. A moderate application of the discipline of the prison would surely have been sufficient for an act of insubordination, which was either a dismal jest, or an outbreak of spleen, not very heinous in such circumstances. But the offenders were placed under rigorous confinement in the strong-room, and the matter was reported to the Secretary of State. In the following term, an ex-officio information was filed by the Attorney-General against Duffin and Lloyd, for a conspiracy to break prison, and to incite the other prisoners to commit the same offence. At the trial no evidence whatever was offered in support of the averments, which constituted the gravamen of the charge, namely, that the defendants had conspired either to break prison themselves, or to incite their fellow prisoners to the like attempt. It was proposed to shew that Lloyd was connected with a political club, but the proof entirely failed. Thus the case for the Crown rested entirely on the paper, from which the jury were to infer the intent charged in the indictment. Upon this point the following evidence was given in cross-examination by Eyles, the warder, who was the principal witness for the Crown.

Duffin.—'Did you ever hear that either Mr. Lloyd

Ch. 33. — 1793

or I intended to escape from the prison?'—'No; I never heard so.'

'Or that we excited others to escape or break the prison?'—'No.'

'Did you think that we, or any of the prisoners, ever contemplated such a measure.'—'No; otherwise than as I inferred from the hand-bill which had been stuck up. I thought the paper might have that tendency.'

This evidence ought to have put an end to the case. It was ridiculous to say, that a paper published by the defendants themselves was evidence of a conspiracy to effect their own escape; and as it was proved that none of the other prisoners saw the paper, it could hardly have incited them to break out of prison. The absurdity of two men conspiring to break through a jail, strongly guarded, surrounded by a wall forty feet high and six feet thick, and giving notice of their conspiracy by a written placard, was too gross for argument; and, as to the second part of the charge, that the defendants had published the placard in pursuance of a conspiracy to incite their fellow-prisoners, there was no proof that anybody had been tampered with, or that the paper had been stuck up as a signal for insurrection. But these poor debtors had not the means of retaining Erskine to protect them from an attack which was prompted more by a foolish panic than by wanton tyranny. They defended themselves; and, like most persons who are so unfortunate, or so injudicious, as to

undertake such a task, they urged topics which were either irrelevant or injurious to their interests. Duffin attacked the officers, and exposed the mismanagement of the prison. Lloyd, who described himself as a citizen of the United States, wearied the Court by a long dissertation on imprisonment for debt, and exasperated the Judge by reminding the jury that they had a right to draw their own conclusion from the facts without any regard to the opinion of the bench. A special jury of the City of London under the direction of Lord Kenyon, found both the defendants guilty. They were brought up for judgment in the following term; but there was a marked difference in their sentences. Lloyd was condemned to imprisonment in Newgate for three years, to stand in the pillory, and to find security for good behaviour for five years. Duffin was let off with the comparatively milder sentence of two years' imprisonment in the Counter, with security for good behaviour during two years more. Nothing appeared on the trial to warrant this distinction. Whether the Court were of opinion that Lloyd drew up the paper, and that Duffin was no more than his agent, or that they were influenced, as is stated in a contemporary publication,[n] by the demeanour of the defendants at and since the trial, the whole proceeding, from first to last, was equally a disgrace

[n] *Annual Register*, 1793, p. 6. Chronicle for report of the trial, see *State Trials*, vol. 22.

Ch 33
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1793

to the Government, and to the administration of justice.

Proceedings against the Press.

The proceedings against the press were conducted in a spirit which seemed to aim at the suppression of all freedom of opinion. It is always a question whether the prosecution of political libels is not the best advertisement they can receive. A work of literary merit, however faulty in doctrine, requires a confutation of a different kind from that which the Attorney-General is prepared to offer. Fine and imprisonment have never yet put down opinions which the public is willing to discuss. I do not here advert to publications addressed to ignorance and vice. These, whether they assume a political, or moral disguise, are dealt with as a matter of police; and, when they acquire sufficient notoriety to become a nuisance and a scandal, are crushed by the strong hand of the law. But the systematic attack upon political writers and printers, in which the Government had engaged, was as much at variance with the spirit of our institutions, as it was unnecessary for their protection. The test of sound popular Government is the liberty of speaking and writing. No despotic rule, no hollow form of a liberal constitution, no simulated democracy can endure the temperature of a free press. But institutions which had been the growth of centuries, and which had, by common consent, nearly, if not quite, ascertained the mean between liberty and order, were surely not so frail that they must give way before the shock of foreign opinions,

unless sustained by ex-officio information and indictments at Quarter Sessions. Such, however, seemed to be the apprehension of the ministers of the Crown; unless, indeed, which was probably the truth, they weakly yielded to the panic of their supporters. However this may be, the censure which attaches to their conduct is equal in either case; and it is impossible to record, without shame and regret, that an administration, of which William Pitt was the head, could lend itself to proceedings so cruel, so wanton, and so unconstitutional as those which have been described, and to others which remain to be mentioned.

London Publishers.

During the last century, and up to a period within living memory, it was the fashion to frequent the shops of the principal London booksellers, as the morning rooms of the principal clubs are now frequented. Men of letters, members of Parliament, and the numerous loungers of a luxurious capital, assembled there, to discuss the new publications, political topics, and the gossip of the town. It was at the shop of Davis the bookseller, that Johnson first met his biographer, Boswell; and fifty years later, at Murray's, in Albemarle Street, such men as Hallam, Byron, Rogers, and Moore were daily visitors. The London booksellers were formerly, to a greater extent, perhaps, than at present, men of education and attainments, living on terms of friendship and social equality, not only with their authors, but with many of the most accomplished

Ch. 33. — 1793

persons of the day. The names of Tonson and Lintot are as familiar nearly as those of Addison and Pope. Such men as Miller and Strahan, and the two Davies's, were no less known and esteemed in succeeding generations. I might easily extend the line to the present day; so numerous is the list of publishers who have not dealt with literature merely as a sordid trade, but are entitled to be placed in the ranks of its discriminating friends and liberal patrons.

Ridgway's sentence.

Among the booksellers, whose shop was thronged by men of wit and fashion about town, was Ridgway, of Piccadilly. His business lay chiefly in the publication of pamphlets and political works in connection with the Whig and popular party. Among the publications which lay on Ridgway's counter, were Paine's 'Rights of Man,' and his 'Address to the Addressers,' together with a rather heavy but very harmless political satire called, the 'Jockey Club.' In selling these three books, Ridgway was subjected to as many prosecutions in the King's Bench, was convicted, fined £200, and sentenced to four years' imprisonment. Several other booksellers, both in London and in the country, were prosecuted for similar offences, and punished with more or less severity. One Holt, the printer of an obscure newspaper, called the 'Newark Herald,' was thought worthy of a criminal information, because, in addition to having sold Paine's book, he had printed in his newspaper, an address to its readers, on the subject of

Parliamentary Reform. Holt was fined £100, and sent to Newgate for four years; but being utterly ruined by the proceedings taken against him, the poor man died in prison long before the expiration of his sentence, of a broken heart. Ch. 33. — 1793

Subservience of the judges.

The judges were not unwilling to promote the success of these prosecutions; and some of them were eager to obtain verdicts for the Crown. Kenyon, the chief justice, a sound lawyer, but, in other respects, an ignorant and narrow-minded man, tried most of the important cases, and set an example, which the judges of assize, and the chairmen of quarter sessions, did not fail to follow. In the trial of charges for sedition, temperance, caution and discrimination, are especially demanded of the judge. Treason is so distinctly defined by statute, and the nature and amount of proof required to sustain the charge are so positively prescribed, that the judge has little or no latitude; but seditious words, having no fixed rule of interpretation, remain very much in the breast of the judge; and thus the boasted field of free discussion is full of the concealed pitfalls of the law. The chief justice, who seems to have shared the terror and hatred of innovation and reforms, which prevailed at this time among the middle and higher classes, was disposed to regard as a seditious libel any hostile criticism of an established institution, or any proposal to amend its defects. With the Middlesex juries, he generally carried his point; but when he went beyond Temple Bar, the spirit

Ch. 33. — 1793

of independence, which has always distinguished the City, began to assert itself. One Eaton, a bookseller, was twice put upon his trial for selling Paine's pamphlets; but, in each case, the jury, notwithstanding the pressure of the Court, steadily refused to find more than the fact of publication, a verdict, which would have been sufficient in the former state of the law, when the Court assumed the right of determining the quality of the writing; but, under the recent statute, which assigned to the jury the right of determining the compound question of publication and *libel*, amounted to a verdict of acquittal. Eaton was then indicted for the publication of a ribald tract, entitled 'Politics for the People; or, Hog's Wash.' In this case, the City jury settled the question by a verdict of not guilty. The verdict was not in accordance with the evidence; but it was a just rebuke of the vindictive proceedings of the Government, and especially of the unconstitutional manner in which this particular prosecution had been conducted. Excessive bail had been demanded, which, being unprepared to find, the defendant had been iniquitously detained two months in Newgate, abiding his trial.[o] But the most signal check which the Government encountered, at the early

[o] ADOLPHUS'S *History*, vol. v. p. 531. The learned writer, than whom no advocate of his time had a more extensive experience of the administration of the criminal law, plainly intimates, though he does not express in terms, his disapprobation of these proceedings. Mr. Adolphus's testimony is the more valuable,

stage of their headlong career against the press, was, in the case of Mr. Perry, the respectable proprietor of the Morning Chronicle, a newspaper of the highest class, though written in the popular interest. With Mr. Perry, were joined in the indictment, the printers, Lambert and Grey, who were responsible only for the mechanical department of the paper. Yet these men were associated in the charge as if it were one of conspiracy or felony, in which all the persons engaged were equally guilty. Such was the spirit in which these prosecutions were conducted. The seditious libel which Perry and his coadjutors were charged with publishing, consisted partly of an enumeration of grievances, about some of which there might be difference of opinion, and partly of a statement of facts, which no person of credit ventured to dispute. The inference drawn from these particulars, was the necessity of a reform in the representation,—a measure, which had been repeatedly recommended to Parliament by the highest authority, including the first minister himself. The article, though vigorously written, contained nothing unbecoming the character of a respectable journal. The counsel for the defendants having admitted the formal proof, no evidence was tendered, and the alleged libel alone was, conse-

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because his bias was that of a prerogative lawyer. But his opinions, though always frankly given and ably supported, are never suffered to affect the authenticity of his narrative.

Ch. 33. — 1793

quently, before the jury; yet, the Chief Justice, having nothing to sum up, did not venture to pronounce the paper a seditious libel in itself, but told the jury that it acquired that character from the fact, of which there was no evidence that certain French emissaries were going about the country propagating revolutionary doctrines. This, together with a very weak argument against Parliamentary Reform, constituted the judge's charge; and, when it is added, that the proprietors of the 'Morning Chronicle' were defended by Erskine, it is not surprising that a Guildhall jury should have returned an acquittal.

Before quitting this subject, it is necessary to advert to some proceedings of a similar character in Scotland, which attracted much attention in this country, and are still commemorated with indignation, by every lover of freedom in North Britain. Among the malcontents at this period, there was unquestionably a numerous class which sought for a reform in the representation of the people, as a pretext or a means for bringing about a democratic revolution. But there were many who thought then, as the great majority of the nation thought forty years later, that the disturbance of ancient abuses in the neighbouring kingdom offered an apt opportunity for reforming our democratic institutions. Bad as was the state of the English representation, that of Scotland was infinitely worse. If there were close boroughs in England, there were also open boroughs, in many of which the suffrage

was widely extended. The counties exhibited, for the most part, a numerous array of freeholders at the poll. In Scotland, there were neither open boroughs nor open constituencies of any kind. The members for the burghs were returned by self-elected corporations; and the members for the counties were nominated by the great proprietors. The greatest number of electors in any Scotch county was two hundred and forty, of which a considerable proportion was non-resident and without property qualification. At an election for the county of Bute, it is related that only one of the twenty-one electors was present, who proposed and seconded himself, and was declared by the returning officer, duly elected. So late as 1823, the aggregate number of persons entitled to vote for the forty-five members for Scotland, which included such cities as Edinburgh, Glasgow and Aberdeen, was under three thousand.[p]

Movement for Parliamentary reform.

That a movement in favour of Parliamentary reform, originating in England, should, in such circumstances, spread to Scotland, was an inevitable consequence, if any public spirit and intelligence were to be found in that part of his Majesty's dominions. Ths Scotch, however, are a cautious people; they are not easily swayed by political

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[p] MAY'S *Constitutional History*, vol. i. pp. 295—298. The Scottish representation, which, up to the time of the Reform Act, was the most servile and variable, has, since that period, been as firm and independent as any constituency of the United Kingdom.

Ch. 33. 1793 passion. Even the Stuart insurrections, although they involved a national feeling, were supported chiefly by the Highland clans; and the Highland clans took no interest in the question of parliamentary reform. During the present reign, the Scots had experienced, almost for the first time in their history, the benefits of a mild, yet firm and regular government. Many of them had sought and found their fortunes in this country. The impulse given to their hopes by the appointment of their countryman Bute to the head of the Government at the beginning of the reign, had not subsided with his premature fall from power. The energy and pertinacity with which the Scots continued to cultivate the patronage of the Crown, were visible throughout the public departments. The Scottish people, therefore, sensible of the substantial benefits which they enjoyed, were not keenly sensitive to the defects in their representative system. Long after England had been stirred, and Ireland had been wrought to madness by the spectacle, Scotland continued to regard, without much sympathy, the struggle for liberty in France. The agents of the London Corresponding Society, together with delegates from other political bodies, succeeded at length in organizing an Association in Edinburgh, for the purpose of obtaining 'Universal Suffrage and Annual Parliaments.' These inducements, however, proved so little attractive, that sufficient funds were hardly collected to defray the working expenses. The

meeting of the 'National Convention,' as this little knot of humble patriots styled themselves, was dispersed by the magistrates; and it is probable that little more would have been heard about Parliamentary Reform in Scotland for some time, had not the violent proceedings of the Government provoked a bitter feeling of which the Scotch character, when irritated, is peculiarly susceptible. Ch. 33. 1793

Among the few persons of a superior class who joined the Edinburgh Society, was Thomas Muir, formerly a member of the Faculty of Advocates. Muir was a man of strong political impressions, and despairing, it seems, of finding any field of political action among his countrymen, had gone over to Ireland, and joined a Society in Dublin called the United Irishmen. The Irish Government having held him to bail for sedition, he forfeited his recognizances and escaped to France. He was of course outlawed, and the Advocates expelled him from their body. After a few months, Muir, hearing of the movement in his own country, returned to Scotland, where he was safe from Irish process, and became an active member of the National Convention. He was prosecuted for sedition by the Scotch Government. The trial was conducted with little regard to justice or decency. The jury consisted of members of a society which had offered rewards for the apprehension of persons accused of offences similar to those with which the prisoner stood charged. Muir objected to be tried by a jury so prejudiced, Thomas Muir.

Ch. 33. 1793

but the objection was overruled. He then proved, both by cross-examination of the Crown witnesses as well as by independent testimony, that his influence had been exercised in behalf of order and moderation; that he exhorted his friends to confine their exertions to legitimate objects, and to avoid all connection with persons who harboured disloyal and revolutionary designs. It was shewn that he had recommended to his associates the study of works which contained sound historical and political information; but among these, he included some of Paine's political tracts, which the English Courts had pronounced seditious libels. It was, therefore, a case for conviction; but assuredly one for a moderate sentence. Muir conducted his own defence. In this case, no advocacy could have been successful against a hostile Court and a servile jury; but the decent behaviour of the defendant, the argument and eloquence of his pleading, were exhibited in contrast with the intemperate zeal and folly of his judges. The Lord Justice Clerk, following the example of his brethren at Westminster, thought proper to inform the jury of his opinions on the question of Parliamentary Reform. Kenyon's prelections on this subject, though dull, were not indecent; but the chief of the Scotch bench raved in the language of Jeffries or Scroggs. In refuting the doctrine of Universal Suffrage, which, however extravagant, had been supported by respectable authority, his lordship laid it down that 'the landed interest

alone had a right to be represented; the *rabble* had nothing but personal property, and what hold had the nation on them?' In this strain he proceeded. Other of the judges referred without disapprobation to the infamous laws of a former age, when the offence charged against the prisoner might have been forced within the penalties of treason. The prisoner was convicted and sentenced to transportation for fourteen years; his punishment being increased, as the judge informed him, because the audience at the trial had applauded his defence.[q] Three other members of the National Convention, Skirving, Margarot, and Gerald, emissaries of the London Clubs, were tried for similar offences and received the like sentences. Fyshe Palmer, a local dissenting minister, was indicted, at the Circuit Court at Perth, for distributing seditious publications, and transported for seven years.

Palmer's case.

In England, where the mischievous activity of democrats and disaffected persons was notorious, and by a large party in the country regarded as sufficiently formidable to call for strong measures of repression, the sentences upon the publishers and authors of sedition never exceeded fine and imprisonment. In Scotland, there was no pretence for urging that such practices demanded exemplary punishment. The only association after the French fashion, formed in Edinburgh, con-

Undue severity of the Scottish Courts.

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[q] *State Trials.*

Ch. 33. — 1793

sisted, for the most part, of a few obscure persons who were easily dispersed by the civic force, and who never re-united. There had been no disturbance of the public peace, nor were there in Scotland, as there were in Ireland, and possibly in parts of England, inflammable materials, which might make the presence of political incendiaries more than ordinarily dangerous. Yet it was thought necessary to inflict upon a few zealots who had infringed the law, the dreadful penalties which are reserved for incorrigible felons. These proceedings were brought under the notice of Parliament early in the following session. Mr. Adams, a Scotch lawyer of eminence, who was afterwards himself a judge, in an argument of great learning, undertook to show that the Scottish judges had exceeded their power in sentencing the political offenders to transportation, and urged the necessity of an appeal from the Scottish tribunals to the House of Lords. The motion was, of course, opposed, and easily defeated by the majority which blindly followed the minister; but it is painful to record the language in which Pitt denounced men who, less ably indeed, but with more sincerity, continued to support the cause of which he had not long ago been the leading advocate. 'Instead of meriting blame,' he said, adverting to the conduct of the judges in the cases of Muir and Palmer, 'they deserved the thanks of their country for having expelled from its bosom those unnatural miscreants whose aim

was to effect its ruin; who, by their wicked daring attempts to subvert the constitution, had forfeited all title to its protection, and all claims to mercy.'

I conclude the summary of this important year, by a notice of the proceedings of Parliament, as cursory as the interest which they excited.

Traitorous Correspondence Bill.

The Attorney-General brought in a Bill, intituled the 'Traitorous Correspondence Bill,' the object of which was to prohibit intercourse and commerce of any kind with the French people. The bill contained some usual and necessary, but other unusual and futile provisions. As to the restrictions placed on furnishing the French Government with articles known as contraband of war, no objection could be anticipated; but Fox, either carried away by the narrow spirit of party opposition, or inspired with an uncompromising zeal for Free Trade, which he had not exhibited when the Commercial Treaty was under discussion, thought it false economy to prevent the armourers of Birmingham from manufacturing weapons for the service of the French Republic. There seemed to be little reason, however, for precluding the English underwriters from the profits which they might gain, if the French shipowners were willing to pay the large premiums which the activity of the British cruizers would make it necessary to demand. On the other hand, the prohibitions of investments in French securi-

Ch. 33. — 1793

ties, was a reasonable measure, since it would have been hardly decent, that the English capitalist should have an interest in stocks, which would rise or sink according, as the fortunes of the enemy were prosperous, or the reverse. The bill attached the extravagant penalty of high treason to any breach of its provisions. It was vehemently opposed in every stage, but it passed without any material alteration.

Early in this year, symptoms of commercial distress became apparent. In their alarm at misfortune so unusual, people hastily ascribed it to the war. But in fact, paradoxical as it may seem, the public embarrassments were caused by the rapid development of sources of prosperity hitherto imperfectly worked, or altogether unknown. Since the American War, agriculture, commerce, and trade, had made great progress; the new processes, invented by the ingenuity of the Lancashire mechanics, had given a sudden and prodigious impulse to domestic manufactures. The demand for capital consequently became urgent, and the system of paper credit, which had lately been developed, afforded new and dangerous facilities of accommodation. Banks sprung up in every part of the country, and these establishments freely issued their paper, mostly without adequate capital, and not unfrequently without any capital whatever, on speculative securities. The first check experienced in this rash career necessarily produced a convulsion. Towards the

end of the preceding year, bullion became scarce; and the exchanges shewed an unfavourable balance against this country. The Bank of England immediately contracted her issues. Two or three great houses failed. A general crash speedily followed. Of about three hundred and fifty country banks, more than one hundred stopped payment; and of these, fifty, at least, proved insolvent.[r] A general panic ensued, and the stability of trade and credit was in imminent danger.

In these circumstances, the merchants demanded the interposition of the Government. Such interference was, on principle, manifestly open to the greatest objection. But the exceptional nature of the exigency was recognised by Pitt, with a promptitude and energy which redound greatly to his credit. The minister consented to recommend to Parliament the issue of Exchequer Bills to the extent of five millions, against the deposit of mercantile securities. A Committee of the House of Commons sanctioned this arrangement, the result of which was a revival of commercial credit, not measured by the advances of Government security, but by the confidence so opportunely shewn in the soundness and stability of the national resources. Less than four millions of the Exchequer Bills, though

[r] MACPHERSON'S *Annals of Commerce*, vol. iv. p. 266. SMITH'S *Wealth of Nations*, by M'CULLOCH, note on Money.

Ch. 33. — 1793

they were issued at a low rate of interest,[s] were, therefore, taken up by the traders; and of this amount, the greater part was repaid before the expiration of the period fixed by the Act. No loss whatever was sustained by the Public Funds on the whole transaction.

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[s] Two-pence halfpenny a day, equivalent to £3 18s. 3d. per cent. per annum.

CHAPTER XXXIV.

FOREIGN MERCENARIES AND VOLUNTEERS—TRIALS FOR TREASON—HARDY, THELWALL, HORNE TOOKE.

WHEN Parliament separated in June, there was some ground for the hopeful anticipation of the King's speech, with reference to the war. At that time, the Duke of York had not raised the siege of Dunkirk; Lyons had not surrendered; Toulon had not been evacuated; the Austrians had not retreated. During the recess, a succession of disasters had taken place; and though nothing had yet occurred to shew that England had engaged in a conflict of unprecedented magnitude and difficulty, people were beginning to murmur; and it was said that the fortunes of our arms should be guided by a leader who had some better qualification for high command than being the favourite son of their revered Monarch.[a]

Public dislike to the Duke of York.

[a] Lord Mornington, afterwards better known as Marquis

Ch. 34. 1794

The opposition took advantage of this partial re-action in the public mind to urge a policy of peace. But the ministry and its supporters vehemently repelled such counsels, declaring that no terms of peace could be entertained until a permanent Government should be established in France. And as the original cause of war no longer existed, the French having withdrawn from the Dutch territory, it was difficult to assign any other reason for continuing the war. It was now plainly understood, therefore, if not explicitly avowed, that Great Britain was at war not with France, but with the French Republic; and that the object now sought was the restoration of Monarchy, if not of the ancient despotism. The policy of this country, as it was enunciated at the declaration of hostilities in the preceding year, had a definite and lawful aim, measured by the language of treaties, and the obligations of public law; but now it was identified with the doctrine of the Treaty of Pilnitz, which asserted the right of foreign powers to dictate the internal polity of an independent nation. It had become, in fact, like the Thirty Years' War, a war of opinion; and was destined to a duration, and

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Wellesley, thus writes to Speaker Addington, in November, 'What do you hear of the public temper respecting the war? I meet with much discontent and disappointment. . . . . The general turn of people's minds seems to be to condemn the *conduct* of the war.'—PELLEW'S *Life of Sidmouth*, vol. i. p. 112. Lord Mornington's younger brother ARTHUR was at this time an Aide-de-camp at Dublin Castle.

an infliction of misery on the human race only inferior to that desolating and protracted strife.

Numerous debates were raised in both houses during the Session of 1794, with reference to the policy and conduct of the war. But the former branch of the subject was already exhausted by previous discussions; the ministers and their supporters continued to dwell on the enormities of the French Revolution, and, to quote the language of the French rulers, menacing to the independence of foreign powers. The Opposition no longer attempted to palliate the crimes and outrages of the revolutionary leaders. Mr. Grey, indeed, who took a leading part in condemning the war, declared in his place, that he would rather live under the King of Prussia or the Empress of Russia than under the Government of France. But the Opposition denied that the violence and wickedness of domestic faction was any justification of foreign war. The minister did not controvert this position; but he maintained that it would be futile to propose negotiation to a Government—if Government it could be styled—which no treaty would bind, and which set at open defiance all the laws of human society.

Importation of foreign troops.

Two questions of a constitutional nature, incident to the conduct of the war, were raised by the Opposition. Early in the Session, a royal message announced that a body of Hessian troops, destined for foreign service, had been landed in the Isle of Wight. It was contended that this proceeding

Ch. 34. — 1794

was contrary to the Bill of Rights, and Grey moved a resolution, 'that to employ foreigners in any situation of military trust, or to bring foreign troops into this kingdom without the consent of Parliament first had and obtained, was contrary to law.' But the Bill of Rights could not be appealed to in support of this proposition. If statute law is cited, the point must be precise; and the Bill of Rights referred in terms to the introduction of foreign troops in time of *peace*, not in time of war. A great constitutional safeguard would be made absurd, if it could be maintained that a handful of mercenaries on their way from their own country to the seat of war could not be removed from the transport ship to the shore for temporary ease and discipline. The employment of German troops in the wars in which England had been engaged was no novelty; and it was shewn, by numerous precedents, that the course taken by the Government was usual and regular. Sergeant Adair, the only whig lawyer who took part in the debate on Grey's motion, admitted there was nothing in it, and moved the previous question, which was carried.

Enrolment of volunteers.

Another question of a cognate character followed the debates — for there were several in both houses — on the landing of the Hessian auxiliaries. A circular was issued from the Secretary of State's office, addressed to the Lord Lieutenants of counties, recommending the formation of Volunteer companies in aid of the militia, and suggesting the expediency of making pecuniary contributions in

support of the scheme. The King's message, requiring Parliament to provide for the augmentation of the forces, contained no mention of the project to raise a force by voluntary contributions; yet the minister, when questioned on the subject, replied, that the design announced in the circular of the Secretary of State had not been relinquished. A resolution was, therefore, moved by Sheridan, declaring it 'dangerous and unconstitutional to solicit money from the people as a private aid, loan, benevolence, or subscription, for public purposes, without the consent of Parliament.' There could, indeed, be no pretence for suggesting that the ministerial letter invited a *benevolence* in the sense which has consigned that term to infamy and odium; nevertheless, the proposal of the Government was, in principle, open to censure. It was unconstitutional and unnecessary. To the House of Commons belongs exclusively the right and the privilege of granting supplies for the service of the Crown; and any immediate appeal to the people for extraordinary aid for any of those legitimate services, is an invasion of that right and privilege. An intimation from his Majesty's Secretary of State is half a command; and if that equivocal message may go forth for the equipment of an armed force, by whatever name it may be called, within the kingdom, the safeguard which the constitution has so carefully provided against the undue exercise of monarchical power might be wholly set at nought. Parliament might one day

Sheridan's resolution.

Ch. 34. — 1794

refuse the supplies for an augmentation of the army, and the next day a royal rescript might issue to raise funds for a purpose substantially the same as that from which Parliament had thought fit to withhold its sanction. There was no excuse of urgency in the particular instance. The House of Commons was wholly for the war; it was also wholly under the control of the Minister, and would have readily given him any supply which he might have thought fit to demand. The compulsory means of recruiting the militia were then in full force; and there existed no such necessity, as arose some years later, of calling upon voluntary effort to defend the country against threatened invasion.

Defence of the Government.

The Government rested their defence on the precedents of 1745, 1778, and 1782. But neither of these precedents was precisely in point. In 1745, it would have been merely frivolous to regard constitutional niceties, when an armed rebellion called for every means of resistance which the country could furnish; in 1778, the Government, during the vacation, had encouraged, not by official solicitation, but by private influence, the formation of volunteer corps in aid of the force which Parliament had sanctioned for the suppression of the colonial rebellion. Even this modified proceeding did not escape the strongest animadversion. But the precedent most relied on was that of 1782, when it was said that Lord Shelburne had done the very thing against which exception was now taken by

the men who were at that time his coadjutors in office. In 1782, Lord Shelburne had addressed a circular letter to the mayors and other local authorities, enclosing the heads of a plan for a volunteer force. But it contained no proposal that funds should be raised by subscription and placed at the disposal of the Government. On the contrary, the proposal was that local battalions should be raised, and officered by gentlemen recommended by the Lord Lieutenant of the county, or the chief magistrate of the borough in which the regiment or company was raised; that the non-commissioned officers should be supplied from the regular service and paid by the Government; that arms, accoutrements and ammunition should be found by the Government; and, finally, that in the event of invasion or rebellion, the whole corps should be liable to serve with the regular army, and in that case be taken into Government pay. It is obvious, that this plan could not be carried into effect, but by funds which Parliament would have to provide in the ordinary way? A very different proposal from that of Secretary Dundas, who sought to raise money without the intervention of Parliament, for establishing an irregular military force. There was certainly no design on the part of the Government to initiate an unconstitutional practice. The object they had in view was right, but there was no reason why it should be attained in a wrong way. An Act was subsequently passed, authorising a volunteer force for a period limited to the

Raising of local battalions.

Ch. 34. — 1794

duration of the war. By another Act, French refugees, resident in this country, were rendered eligible for service in the British Army. This measure was also opposed as unconstitutional and impolitic; but no valid objection could be urged against the employment of these foreigners in a war in which they were personally interested. The enlistment of foreigners had been such a common practice in former wars, that it was vain to characterise it as unconstitutional. Yet this Bill was resisted, in every stage of its progress, with an indiscriminating pertinacity which detracted sensibly from the force of opposition.

Renewed proceedings against seditious writings.

The course which the Government had hitherto pursued for the purpose of stopping revolutionary principles had not been marked by success. The proceedings against the printers and sellers of questionable writings, as well as against the authors and propagators of sedition;—the prosecution of every ignorant and thoughtless person who, in the excitement of the times, had uttered idle words, had exasperated, rather than intimidated, the Radical Reformers; and had offended many who, though not Radical Reformers, thought that opinion in this country was entitled to some latitude and toleration. The Government, however, appeared to think otherwise, for they prepared to renew the system of prosecution with increased vigour, and to arm the law with new terrors against political delinquents. The political clubs, on the other hand, so far from being

daunted, were stimulated to increased activity and louder defiance by the proceedings of the Government. The 'Corresponding Society' and the 'Constitutional Society,' which had hitherto pursued different paths, now acted together. Debating clubs were formed in every tavern; and political assemblies were held in the tea-gardens, and the fields, surrounding London. Similar associations were established in the large manufacturing towns. Ch. 34. 1794

Vigilance of the Government.

The Government was well informed of these proceedings, and only watched for a favourable opportunity to suppress the societies, and inflict condign punishment on the leaders. At length a few weapons were found in the possession of one the societies at Edinburgh; papers were seized; several of the leaders and office-bearers of the political associations were arrested, examined before the Privy Council, and committed for High Treason. The minister brought down a message from the Crown, announcing these facts; and the papers were referred to a committee of secrecy, consisting exclusively of members of the Government and their supporters. The report which was presented two days afterwards, made no disclosure; it contained merely a mass of papers, which had been published by the societies from time to time, during the last three or four years. The contents of these papers were already well known; many of them had been quoted in Parliament and elsewhere, as warnings of an imminent

Ch. 34. 1794

revolution; some of them had been prosecuted. Mr. Pitt, as Chairman of the Committee, now brought forward this array of documents as proof of the existence of a plot, well digested and matured, to set up a General Convention, which should usurp the powers of Government, supplant the Parliament, and abolish the Monarchy. He, therefore, proposed on the Report of the Committee,—that the executive should be forthwith armed with extraordinary power, and he moved for a partial suspension of the Habeas Corpus Act.

Corresponding Society.

It is certain that some of the more recent proceedings of the Societies were of such a character, as no regular Government has ever thought fit to pass over without notice. The Corresponding Society had thirty branches, many of them enrolling more than six hundred members within the bills of mortality. The Constitutional had a separate organisation almost equally formidable. A regular communication had been established between these central bodies and numerous provincial associations, of a similar character, in the three Kingdoms. The society called 'the Friends of the People,' which had been established by, and was under the management of Sheridan and Grey, and comprised many members of the Opposition, was invited to join this great political union, by appointing delegates to represent them at the projected National Convention. 'The Friends of the People' sent a civil excuse. The Whig

Ch. 34. 1794

Reformers, nevertheless, offered the most strenuous opposition to the coercive policy of the Government. They argued, that a convention was not unlawful, because there had been conventions corresponding with societies in Yorkshire to obtain a reform in the representation, and conventions of Roman Catholics in Ireland to obtain relief from civil disabilities; as if there was any comparison between the co-operation of persons to obtain a specific and legal object, and a general assemblage of delegates from all parts of the kingdom, to effect unknown changes in the laws, the government, and constitution of the realm. There was more point in the ridicule which the opposition heaped upon a conspiracy, in which the conspirators took every means to court publicity and to promulgate their designs. It was in vain, however, that either argument or ridicule were employed to allay the terrors which French principles had inspired. A proposal to terminate the war, in which few men, from the first, had faith or hope, would have been welcomed, both by Parliament and the country; but the unparalleled power of Pitt himself would have been shaken by an attempt to make a truce with the Reformers.[b] Yet it is no light matter to tamper with the

[b] 'Arguments against the war and our alliances are heard favourably in the House of Commons, although they do not get us a vote; but sentiments of liberty and complaints of oppression are very little attended to, however well founded.'—Fox's *Correspondence*, 1794, vol. iii. p. 67.

Ch. 34. 1794

Habeas Corpus. The great statute had been suspended on no less than nine occasions in the hundred years since the Revolution. In the precarious reign of William the Third; during the rebellions of 1715 and 1745; and on the occasion of Bishop Atterbury's plot in 1722, it was necessary, for the moment, to set aside a law which might act as a shield for treason; but could it be said that such a case of urgency was made out in 1794? There had never been a time in the history of the English people, when professions of loyalty and attachment to the constitution were more general. The laws were in full force, and had recently been administered with all but invariable success, if not, in some cases, with extreme rigour. The leaders and principal agents of sedition were well known; they had been apprehended without difficulty, and were at this moment in custody, awaiting their trial on the capital charge. There might be good ground for setting the highest powers of the law in motion; but it was difficult to understand the extreme peril to the safety of the State, which rendered it necessary to touch the most sacred guard of English liberty. An Act, however, was passed, in May, suspending the writ of Habeas, in cases of treason, until the following February. Thus was the Government, during the six months when Parliament would not be sitting, empowered to arrest and shut up in prison, without bail and without trial, any person, not being a member of either House of Parliament,

whom they might think proper to accuse of treason or treasonable practices. A power so invidious, far from strengthening the hands of Government, must certainly weaken them, unless the State is exposed to such imminent and great danger, as the ordinary powers of the executive are inadequate to deal withal.

Impolitic measures.

If the Government of England had not shewn such an unworthy want of confidence in the stability of her institutions; if they had not been so ready to control the freedom of the press; if they had passed over, with wise contempt, the idle bravadoes and loose talk of obscure adventurers and drunken mechanics in prisons and in taverns, they might have relied on the support and sympathy of the people in punishing the insolence of pretenders, who assumed to put aside all constituted authority, and to set themselves up as the dictators of the country. But the ministers of the Crown took a different course; and they were now to experience the mortifying results of precipitate counsels, misplaced vigour, and ignoble concession to extravagant fears.

Country prosecutions.

During the spring and summer, the petty warfare at assizes and quarter sessions was resumed, but without the success which had generally attended the prosecutions in the preceding year. The few convictions obtained were chiefly at the quarter sessions, where juries gave verdicts in accordance with the wishes of their landlords and customers who sat upon the bench. At the

Ch. 34. — 1794

assizes, where this influence was not so potent, a successful prosecution became rare. A practice which the Government had adopted for the purpose of swelling the calendar of State offences, served more than anything else to frustrate their ends. A body of spies and informers had been employed to drag to light utterers of sedition, of whom nobody otherwise would have heard. These eavesdroppers insinuated themselves into every place of public resort, and hung about every knot of persons who stopped at corners of streets, or in doorways, to talk about the news from France, or of the latest plot that had come to light in this country. The informers, who expected to be rewarded in proportion to their zeal and success, got up numerous cases which broke down ignominously at the trials. The evidence of these people, always strained, and, not unfrequently perjured, afforded fertile topics of invective to the counsel who defended the prisoners, and drew frequent expressions of indignation and disgust from the audience in court, and sometimes from the jury themselves. Juries, availing themselves of the new law, refused to find general verdicts of guilty in cases of libel, in spite of the judges, who, following the example of Lord Kenyon, invariably exceeded their duty, by pronouncing judicially, on the character of the publication, which the recent statute had declared to be a question of fact for the jury, and not a question

of law for the court.[c] Among the minor cases, the most signal defeat which the Government sustained this year, was in the case of Walker and six others, tried on a conspiracy to overthrow the Government, and to assist the French in an invasion of the kingdom,—a charge, which was barely short of high treason. Walker was a respectable inhabitant of Manchester, who had rendered himself obnoxious to suspicion, as the leader of the reformers in that important town. He had organised a branch of the Constitutional Society at Manchester, and had announced the objects of the association in an advertisement, which did not exceed the bounds of moderation; nor does it appear that either he or his fellow reformers ever avowed revolutionary designs. Nevertheless, Walker was a marked man; and the Tories of Manchester who emulated the zeal and violence of the Church and King party at Birmingham, sought to put down their adversaries by force. On the occasion of the war with France, a mob, instigated by these heated partisans, having made several attacks on Walker's house, Walker assembled some friends and armed them for his defence.

Prosecution of Walker and others.

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[c] 'The judge is only bound to tell the jury that if, from the contents of the paper and the circumstances under which it was published, it was meant to vilify the Government and Constitution, and to infuse discontent into the minds of the people, it was, in point of law, a libel, without taking upon himself as a matter of fact, to determine that such was the intent.'—Lord Campbell's *Lives of Chief Justices*, vol. iii. p. 51.

Ch. 34. — 1794

Upon this fact, the charge was afterwards founded that he had taken arms to wage war against the king. An informer named Dunn swore the information upon which Walker and the other persons were put upon their trial, and was the principal witness. But, fortunately, this wretch was so unskilful in his infamous profession, that the prisoners, defended by Erskine, were in no danger even from a church-and-king jury. Dunn prevaricated; his evidence was shown to be false in material particulars; it was even proved, that, in a transient fit of remorse, he had gone down on his knees before Walker, and confessed that he had been bribed to undertake the business. Law, the Attorney-General for the county palatine, who conducted the prosecution, gave up the case, and the witness was committed for perjury. He was afterwards convicted and sentenced to two years' imprisonment, with the pillory. It is worthy of remark, that a punishment which had seldom been considered adequate to the crime of uttering some idle words in a public house, or selling a democratic publication over the counter of a bookseller's shop, was deemed sufficient for a villain who had attempted to swear away the liberties and fortunes, if not actually the lives, of seven of his fellow creatures.

Case of Watt and Downie.

In one capital case, the Government had been successful; and the trial, though it took place in Scotland, was conducted fairly, to a satisfactory result. Watt and Downie were arraigned for high

treason, and the charge was fully proved. These men had laid a plan to surprise the castle of Edinburgh, to take possession of the city, to massacre the troops, to imprison the judges, and demand from the king certain measures; in the event of refusing which, he was to take the consequences. Watt had been a spy in the pay of the Secretary of State; but his services having been disregarded, or not sufficiently rewarded, he engaged, either from treachery or revenge, in the formation of this plot. He was condemned and executed without commiseration from any quarter. His coadjutor, Downie, was also convicted, but recommended to mercy; and the capital penalty was, in his case, commuted to transportation for life.

Horne Tooke and others.

In September, a Special Commission was issued for the trial of the State prisoners who had been committed by the Privy Council in May on charges of high treason. Eyre, Chief Justice of the Common Pleas, with Chief Baron Macdonald and four of the ablest and most experienced puisne judges,—Hotham, Buller, Grose, and Lawrence,—constituted the Commission.[d] On the 6th of October, the Grand Jury found true Bills against all the prisoners, namely, Hardy, Horne Tooke, Stewart Kyd, Bonney, Joyce, Richter, Baxter, and Thelwall. They also found true Bills against four

[d] Lord CAMPBELL states that Eyre was placed at the head of the Commission in preference to Kenyon, whose temper and discretion could not be trusted.—*Lives of the Chief Justices*, vol. iii. p. 52.

Ch. 34. — 1794

other persons not in custody. One of these persons, Thomas Holcroft, immediately surrendered, and was committed to Newgate. An interval of several days took place, while the prisoners were severally furnished with copies of the indictment, with a panel of the jury, and the names of the witnesses to be called by the Crown, in accordance with the law and custom in cases of high treason. On the 25th of October, the prisoners were called upon to plead. All pleaded not guilty; and Erskine, as leading counsel for all, having desired that the prisoners should be tried separately, the Attorney-General signified his intention of proceeding in the first place with the indictment against Thomas Hardy. Accordingly, on the 28th of October, Hardy was placed at the bar charged with the crime of high treason in compassing the death of the king.

La Motte, Lord George Gordon.

Within the memory of living men, trials for political crimes had been of rare occurrence. Only two cases of high treason had been tried in London during the present reign. One was that of La Motte, a spy in the pay of France, convicted and hanged, in 1781. Another trial in the same year, was that of Lord George Gordon, who, by reviving a prejudice about which the people of this country have always been sensitive, afforded a pretext for riot and plunder to the rabble of London. But, though all persons deplored the mischief which had been done on that occasion, few desired the capital punishment of a crazy

fanatic, who, so far as he could be considered a responsible agent, did not appear to have been actuated by malice. The impeachment of Hastings had excited extraordinary interest; but it was an interest which concerned the higher and educated classes rather than the multitude. The novelty and grandeur of the spectacle; the unparalleled magnitude of the charges; the astonishing display of oratory by performers who had never been surpassed—all contributed to dazzle the senses and to fire the imagination of the vast audience. But there was no feeling of reality in the scene. When Burke described the torture of the Begums, or when Sheridan depicted the duress of Cheyte Sing, the audience were moved, as they were moved when Siddons gave the daggers to Macbeth, or when Kemble pourtrayed the agony of Lear. None felt an impulse to tear in pieces the venerable gentleman who stood at the bar unshaken by the storm of eloquence which raged around him. Nobody regarded the proceedings as really intended to put the life of Warren Hastings in jeopardy. The proceedings, indeed, were so wholly unlike a trial for life, such as the public were accustomed to behold in the regular tribunals, that it was hardly possible to regard them as a stern reality. A counsel, for the prosecution in a criminal case, whether a petty larceny, or a capital charge, who should resort to rhetorical arts to procure a conviction, or who should go beyond a plain statement of the facts which he

Ch. 34. — 1794

meant to prove, would infallibly draw down upon himself the heavy censure of the court, or be looked upon as a tyro who did not understand the rudiments of his profession. The great impeachment, therefore, was treated as a splendid anomaly, and after the first rage of curiosity was gratified, it was suffered to drag on its slow and lingering course without any person — hardly the parties immediately concerned — manifesting any interest in its progress or its issue.

Rash proceedings of the Government.

Far different was the feeling excited by the State trials of 1794. No personal interest, indeed, attached to any of the prisoners. They were, with the exception of Horne Tooke, men in the middle and lower ranks of life, without anything to distinguish them from the swarm of envious malcontents who rise to the surface in civil commotion. But these men—obscure, half educated, of doubtful repute, insignificant as they were,—represented principles and sentiments, associated with the most favoured traditions of English liberty. Hardy the shoemaker, Thelwall the lecturer, Holcroft the dramatist, — were, by the rash act of the Government, raised up as the confessors of a political faith which, but for the fostering aid of persecution, would in due time have languished and been forgotten. Hardy and his fellows founded themselves on Parliamentary Reform, the cause to which Chatham had faithfully adhered to his last day, and of which the son of Chatham had only ceased to be the foremost

champion, when he rose to be the head of the State. Upon this foundation, the prisoners had reared wild and foolish theories, which they had sought to effect by wild and lawless means. There could be no doubt that these men had offered deliberate insults to the Government, which could hardly be suffered to pass with impunity. But it was one thing to deal with a set of obscure and desperate adventurers who were willing to obtain notoriety on any terms as minor offenders, and another to elevate them to the dignity and importance of delinquents charged with the highest crime known to the law. The question raised by these prosecutions was, whether the terrible penalties of high treason were to attach to every man who held extravagant opinions on the subject of parliamentary reform, and who openly sought to enforce them by illegal methods. Was it levying war against the King and compassing his death, in accordance with the precise language of the statute, to issue a prospectus for a Convention which should assume functions incompatible with the rights of Parliament? For, putting aside minor details of questionable import, this was the sum and substance of the charge against the prisoners.

Ch. 34. 1794.

Trial of Hardy.

On the 28th of October, Hardy was placed at the bar. After some challenges, both on the part of the Crown and on that of the prisoner, a jury was sworn, consisting of merchants and substantial tradesmen, who fairly represented the intelligence and opinions of the middle class of the Metropolis.

Ch. 34. 1794. The Attorney-General[e] opened the case in a speech which lasted from ten o'clock in the forenoon to seven in the evening. The style of this great lawyer was never remarkable for vigour or perspicuity; and as he went on, hour after hour, accumulating fact upon fact, and endeavouring to demonstrate by a cumbersome process of reasoning, that a conspiracy to compel the King to govern otherwise than by the laws, was a conspiracy to depose him from the royal state, title, power, and government, as set forth in the indictment; that such an attempt must lead to resistance—that resistance must lead to his deposition, and that his deposition must endanger his life;—the jury, overwhelmed by this heterogeneous mass of argument and detail, gaped in dreary bewilderment; and men accustomed to the practice of the courts, saw that the prisoner was already half acquitted. It was past midnight when the jaded court adjourned for a few hours' repose. Before the adjournment, however, Erskine, with exquisite dexterity, took occasion in this early stage, to prejudice the evidence for the prosecution. After the Attorney-General's speech, the remainder of the sitting had been occupied with putting in and reading the papers taken from the possession of the prisoner. Upon these voluminous documents, the

[e] Sir John Scott, afterwards Lord Eldon. The Solicitor-General was Mitford, afterwards Lord Redesdale, Lord Chancellor of Ireland.

case for the Crown mainly rested, and some of them were of a serious character. To obviate the impression which such evidence was calculated to produce at the outset of the trial, Erskine affected to complain that the legal advisers of the prisoner had hitherto been refused permission to see the papers put in evidence; and, as the charge of compassing the king's death was to be extracted from these papers, which it took the Attorney-General *nine hours to read*, it was but reasonable, he said, that he should have an opportunity of examining them. Erskine knew very well, that neither the Crown, nor any party to a private suit, discloses the evidence beforehand to the other side. He had long known the papers on which the weight of the case chiefly rested; but the remark, for which this pretext afforded an introduction, was intended not for the Court, but for the jury; and it had its effect. *It told upon the jury.*[f] The reading of the documentary evidence occupied the whole of the next day. The correspondence between the different societies established throughout the kingdom, and with the French Convention and the Jacobin Club, in the election of some of the French revolutionary leaders as honorary members of the Constitutional Society; the affectation of the French term,

[f] Many years after the trial, a gentleman who had served on the jury said to Mr. Adolphus, 'Sir, if the evidence had been much stronger than it was, I should have had great difficulty in convicting men of a crime, when it occupied the Attorney-General nine hours to tell me what it was.'—ADOLPHUS's *History*, vol. vi. p. 75.

Ch. 34. — 1794

citizen, sufficiently showed that the sympathies of the prisoners were with French rather than English ideas of freedom. When pressed by such evidence, Erskine would get up and ask, how all this bore on the charge of compassing the king's death, which was the precise charge the prisoner had to meet? An atrocious piece of ribaldry in the shape of a play-bill, purporting to be the cast of a performance called 'La Guillotine; or, George's Head in a Basket; for the Benefit of John Bull,' having been brought home to Baxter, one of the prisoners, Erskine tried to get rid of it as a fabrication of the spies who had got up the prosecution; but being promptly called to account by the Attorney-General for this daring sally, the Chief Justice followed, and compelled him to adopt the term 'infamous,' in reference to this lampoon. Several sharp altercations took place between Erskine, who bore the brunt of the battle, and the counsel for the Crown; sometimes he menaced the judge, who showed no unwillingness to push the case for the prosecution. A most important witness for the Crown was sinking fast under a terrific cross-examination, when the Chief Justice interposed to help him; but the counsel sharply rebuked this irregular interference. 'I am entitled,' said he, 'to have the benefit of this gentleman's deportment. If your lordship will indulge me—' and he waved the judge aside. 'Give him fair play,' said Eyre. 'He has had fair play,' retorted Erskine. 'I wish *we* had as fair play.

But that,' he added with fine irony, 'is not for the Court.' Ch. 34. 1794

The bias of the judges, was, indeed, too visible during the whole series of these prosecutions. On one occasion, during Hardy's trial, Erskine being absent from Court, Gibbs, who was left in charge of the case, had to cross-examine one of the principal witnesses. The man was asked if he had not been a spy, upon which the Chief Justice, without any objection from the counsel for the Crown, interposed, and would not permit the question to be answered. Soon after, the cross-examining counsel was stopped again. On this occasion, Gibbs declining to argue the point, desired the usher of the Court to send for Mr. Erskine, and sat down. A nervous pause ensued, during which the judges consulted together with manifest uneasiness. Presently, Erskine came into Court, and being informed of what had taken place, maintained that his junior had been right both in principle and in practice, and appealed to Mr. Justice Buller, the greatest authority in the commission, in support of his assertion. Buller could not help ruling, however reluctantly, in Erskine's favour, and the trial proceeded without further interruption from the Bench. At length, the Court having sat every day from eight in the morning till midnight, the Attorney-General announced, on the afternoon of the fifth day, that the case for the Crown was closed. Erskine applied for an adjournment until the following day, that he might be prepared to Partiality of the Judges.

Ch. 34 — 1774

address the jury on behalf of the prisoner. There should have been no hesitation in acceding to an application so reasonable, considering the unprecedented duration of the trial, and the multifarious evidence which had been so heaped up. But the Chief Justice showed a strong disposition to deny the indulgence asked, and haggled about an hour, more or less. The jury, resenting what appeared to them a desire to bear with undue hardship on the prisoner, interposed, in support of Erskine's application, and the court was compelled to yield.

Erskine's cross-examination of witnesses.

At two o'clock in the afternoon of the following day, Erskine rose to address the jury. Up to this time, he had conducted the case with consummate skill. He had missed no point; he had made no mistake. He suffered the witnesses for the Crown to tell their story without those captious interruptions and objections, from which the jury are apt to infer that the counsel is attempting to stifle evidence which he cannot fairly meet. When he objected to a question, his objection was either arguable in point of law, or was raised with the view of prejudicing the prosecution. Cross-examination, which, in ordinary hands, more frequently corroborates than shakes the adversary's case, was ever sparingly used by this great advocate; indeed, if he could be said to fall short of excellence, in any branch of his art, it was in this. He made little impression, therefore, by leading an unwilling witness for the Crown, who

had acted as secretary of one of the seditious societies, to admit that the prisoner was a loyal subject; that neither he nor any of his friends contemplated anything beyond a reform of Parliament; and that they only desired to attain this end by legal and orderly means. Nor was he very happy in addressing another witness, who had assumed the name of Douglas, as Mr. Spy, and asking him 'how long he had played the part of Norval?' Such tricks as these, though frequent in the lower practice of Nisi Prius and the Old Bailey, are unworthy a performer of the highest class. But when he stood up before the jury, Erskine was incomparably the greatest advocate that had ever worn the robe. Oratory loses more than half its virtue when transferred to paper; the finest speech ever delivered seems comparatively tame to those who have not *seen* it. The *action* is lost. The voice, the eye, the gesture, the character of the orator, the surrounding circumstances, the sympathy of the audience are wanting. Erskine at the bar was as careful an actor as Chatham in the senate. The flannels and the crutch of the Great Commoner were no despicable aids to his eloquence. The advocate, in like manner, neglected none of the accessories of his art. He fixed on the spot from which he was to speak; his books and papers were disposed in picturesque disorder; his dress was carefully arranged; and though these things were laughed at, and have been

Ch. 34. 1794

Ch. 34. — 1794

quoted as proofs of Erskine's inordinate vanity, they were not beneath the notice of an adept who aims at perfection. Oratory is not the most useful, and is far from being the highest intellectual gift conferred on man; yet there is none, perhaps, which an ambitious man would more readily choose, if a choice were offered him. A great conqueror has grave cares and troubles to mar the pride and the rapture of victory. A great author too often trusts to posterity for his fame; but the great orator enjoys an unalloyed triumph. He delights at once and subdues his hearers. He exercises a faculty which lifts him at the same time to fame and power. He is the champion of the oppressed, more potent and more terrible than the leader of hosts. Even liberty and laws would languish and moulder away, if they were not fostered and revived by the art of eloquence.

It was thus, on that memorable day, that Thomas Erskine stood forth in the pride and power of a consummate orator. His theme was of the noblest. He had to vindicate the ancient liberties of his countrymen. He had to contend that men ought not to be brought to the scaffold because they had only a little outrun the example recently set them by a great nobleman who was now a Cabinet Minister, and pushed to extremity principles of which the first minister of the Crown had once been the most eminent patron. He had to strip the case against the prisoners of those

invidious accessories, which the spies and sycophants of the Crown had fastened to it, for the purpose of exaggerating a plain charge of misdemeanor into the highest crime of which a citizen could be found guilty. He had to rescue from the violence with which it was attempted to confuse them, those sacred boundaries between treason and minor offences against the State, which the provident fathers of English freedom had so carefully marked. How he performed this great task is known to us by the tradition of the greatest feat of oratory ever exhibited in a Court of Justice. The speech itself has been preserved literally as it was delivered; and in that noble composition, we find all the elements of the highest art: propositions distinctly stated; dissection and application of the evidence; arguments and authorities; all in lucid order. The spirit and elasticity of the style; the flashes of wit, passion, and pathos; the glow of eloquence diffused over the whole, may suffice to convey a lively idea of the effect which such a speech must have produced upon the jury, and all who heard it. 'My whole argument,' he said, 'amounts to no more than this—that before the crime of compassing the King's death can be found by you, the jury, whose province it is to judge of its existence, *it must be believed by you to have existed in point of fact.* Before you can adjudge a fact, you must believe it—not suspect it—not imagine it—not fancy it—but *believe* it; and it is impossible to impress the human mind

35214

Ch. 34. 1794

with such a reasonable and certain belief as is necessary to be impressed, before a Christian man can adjudge his neighbour to the smallest penalty, much less to the pains of death, without having such evidence as a reasonable mind will accept of as the infallible test of truth. And what is that evidence? Neither more nor less than that which the constitution has established in the courts for the general admission of justice; namely, that the evidence convinced the jury, beyond all reasonable doubt, that the criminal intentions constituting the crime, existed in the mind of the man upon trial, and was the main-spring of his conduct.' He never suffered the jury to lose sight of this proposition, which his every argument and comment tended to illustrate and enforce. There was abundant proof that the prisoner, or at least the society with which he was connected, and for whose acts the prisoner was responsible in point of law, had been engaged in seditious and treasonable practices. Erskine, therefore, was forced to insist, that the precise charge laid in the indictment had not been made out. The main facts, indeed, relied on by the Attorney-General, in his opening speech, had failed in the proof. The prisoners were charged with having provided arms, and instruments called night-cats, for impeding the action of cavalry in the streets. But the arms consisted only of two or three dozen pikes; and although a model of the night-cat had been exhibited at a meeting, it did not appear that any

had been ordered. The charge of making war against the King, and compassing his death, with a few rusty pikes, was easily turned into ridicule; and the jury were willing to accept the excuse that these suspicious weapons had been procured to defend the association against the violence of church-and-king rioters. The only evidence of an overt act, towards the accomplishment of the crime of treason was an atrocious copy of verses found in the possession of Hardy.

Erskine spoke for seven hours. His voice and strength failed him towards the end; and his peroration was delivered in a whisper, which was as distinctly heard through the solemn stillness of the crowded court, as any of those resounding periods which had so frequently drawn expressions of delight from his excited audience. It was difficult, indeed, to maintain the decorous restraint of a court of justice during his address. The jury themselves could not suppress their emotions. One of the boldest arguments in the speech was this: — that if the delegates to the proposed Convention were guilty, their constituents must be equally guilty; thus forty thousand persons would be liable to the penalties of treason, and be left at the mercy of the Government —' a proposition,' said Erskine, 'from which *I observed you to shrink with horror when I stated it.*' One of the most remarkable characteristics of an English Court of Justice, is the judicial demeanour of the twelve men who are sworn to try the issue. While the

Ch. 34. — 1794

counsel on either side are arguing, declaiming, coaxing, warning, flattering by turns; while the witnesses are being told to turn their faces toward the box; while the prisoner is casting anxious furtive glances in the same direction; while the feelings of the spectators can hardly be restrained from open expression, — the jury remain unmoved. The bias of the judge it is seldom difficult to ascertain; but the most acute and practised observation can rarely penetrate the secret of the jury box. How great, then, must have been the power of the advocate which could extort from these grave tradesmen a thrill of horror, and what must have been the effect on all beholders of a demonstration so unusual!

When the exhausted orator at length sunk into his seat, repeated bursts of applause, which the officers of the court in vain attempted to check, interrupted the proceedings for some minutes. The populace are so susceptible of eloquence, and their sympathies are so easily excited against any assertion of authority, that their approbation can seldom be relied on as a testimony of merit, or quoted as an expression of public opinion entitled to much weight. But, on this occasion, there were plain manifestations of the old English hatred of oppression and acts of power. The audience in court were, for the most part, persons of the better sort, who had obtained admission by favour. They represented the growing sense of resentment, at the system lately pursued of suppress-

ing all freedom of thought and opinion by the terrors of the law; and a feeling which widely prevailed that, on the result of these trials, it depended whether the trial by jury was any longer to be treated as a sure defence against tyranny and injustice. When the court adjourned at half-past twelve, the space before the building, the approaches, and the adjoining streets, were thronged with people drawn and kept together by the fame of the great oration which had been made for English liberty. The judges could not get to their carriages. Everybody within the building was a prisoner; for it was found impossible to penetrate the dense mass of people which blockaded every avenue to the court. At length, Erskine went out and addressed a few words to the vast assemblage. He told them to place confidence in the justice of the country, that the only security for Englishmen was in the laws, and that any attempt to overawe or intimidate the court would not only be an affront to public justice, but would endanger the lives of the accused. Such an effect had these few words, that the people begun immediately to disperse, and in a short time the streets were clear. Several witnesses were called for the defence, chiefly, however, to speak to the character of Hardy as a quiet peaceable man, who only desired to promote reform by lawful means. Sheridan, Francis, and Mr. Strutt of Derby, gave evidence to that effect. The Duke of Richmond was called to prove his letter

Ch. 34. — 1794

to Colonel Sharman, of which so much had been heard during the trial. This letter contained the duke's celebrated creed of Annual Parliaments, Universal Suffrage, and the Abolition of the Royal Veto on the Legislation of the two Houses of Parliament. The appearance of these distinguished persons, after the rabble of spies and informers who had been paraded before the jury for four days, would have attracted much attention at an earlier period; but the public interest in the trial subsided rapidly after the speech of Erskine. The general opinion was, that Hardy must be acquitted, and all men were impatient for the verdict. Nevertheless a very able and lucid summary of the whole case by Gibbs, the junior counsel for the prisoner was listened to with attention. Had it not, indeed, been overshadowed by the transcendant display of his leader, the junior's speech would have been considered a brilliant performance. As it was, it made his fortune at the bar, and ultimately raised him to the great post of Chief Justice of the Common Pleas. The Solicitor General Mitford replied upon the whole case. Mitford was a Chancery lawyer of fair attainments; but without any experience of the court in which he had now to perform the duty of replying upon Erskine. He undertook to reconstruct a long and complicated case which had been built up with great care by his leader, but had been shattered to fragments by the counsel for the prisoner. He set about his task with the

deliberation and patience which he was accustomed to in the Court of Chancery. The solicitor's speech consumed ten hours. During this prodigious performance, he fainted; but his audience bore up. The trial, which commenced on the 28th of October, was brought to a close on the 5th of November by the charge of the Lord Chief Justice, which was decidedly against the prisoner, yet, on the whole, temperate and fair. At the conclusion of the judge's address, the jury, having requested to be furnished with a copy of the indictment, retired to their room. After an absence of three hours, they returned with a verdict of Not Guilty. Men now congratulated each other that the worst was over. The Government had received a signal check in the headlong career against the liberties of the people. The law had been nobly vindicated against the new doctrine of constructive treason; and, at all events, an Englishman might henceforth speak his mind, or combine with his countrymen, to effect a political object without being in peril of his life. It was thought that the rest of the prosecutions would be abandoned, or that if a further attempt was made, Baxter, the author of the infamous Bill called the Guillotine, or Thelwall, who blew off the head of the pot of porter and said he would serve the King in the like manner, might be put up. But, after hesitating for several days, the Attorney General announced his intention to proceed with another of the indictments, and, to the surprise of all men, the individual he fixed

Ch. 34. 1794

upon, as the successor of Hardy, was John Horne Tooke.

John Horne Tooke.

The law officers possibly argued, that though the case was weaker against Horne Tooke than against any of the others, they might have a better chance of fixing criminal responsibility upon so notable a person than upon either of the obscure and insignificant people included in the arraignment. Horne Tooke had, for many years, been the terror of judges, ministers of State, and all constituted authorities. He was that famous Parson Horne who attacked the terrible Junius, after statesmen, judges and generals had fled before him, and drove him back defeated and howling with his wounds. He it was who silenced Wilkes. Some years afterwards he fastened a quarrel on the House of Commons, which he bullied and baffled with his usual coolness and address.[h] Horne Tooke, indeed, was no ordinary man—a profound scholar, and an accomplished man of the world, he could hardly have failed to attain eminence at the bar and in the Senate, had not a perverse destiny imposed on him the indelible orders of the Church. He applied himself to the study of the law, but the Inns of Court determined that a clerk in orders could not be admitted to the profession of the law. He obtained a seat in the House of Commons, and, for the same reason, an Act of Parliament was passed to disqualify him. The disappointments, for which a

[h] Ante, vol. ii. p. 211.

man of talents and ambition could find no compensation, embittered his spirit, and determined his character and conduct in a direction to which they did not naturally tend. His powers of ridicule and satire, which the restraints of professional or political life would have kept within bounds, became the instruments by which he sought to avenge himself on society for the wrongs he had endured. He was as little suited for the vocation of demagogue as for that of a parish priest. He might, perhaps, have accommodated himself with outward decency to a profession which he hated as Swift had done before him; or he might have found that the conscientious discharge of the duties of his sacred calling was not incompatible with the most brilliant reputation, as Sidney Smith subsequently proved. But Horne Tooke was deficient in some of the essential qualities of a popular leader. He neither felt, nor could with any plausibility simulate, a hatred for the upper classes, because his habits and tastes were those of a scholar and a gentleman. For the same reason, he could not stoop to flatter the mob. While he abused the House of Commons as a sink of corruption, he talked about the hereditary nobility being disgraced by the intrusion of that 'skip-jack, Jenkinson,' in the style of a Talbot, or a Howard. He denounced the Opposition, on whom many of the democrats affected to fawn, as 'a pack of scoundrels,' like the Ministerial party; and declared that both parties were equally com-

Ch 34. — 1794

bined to cajole 'that poor man the King,' and to deceive the people of England. But he never expressed any desire that these scoundrels should be superseded by his friends of the Constitutional and Corresponding Societies. There was, in fact, nothing in common between Horne Tooke and his fellow conspirators—not even treasonable designs. He could hardly cabal with shoemakers, lecturers, playwrights, and that nondescript class described in the indictment as 'gentlemen,' whom a man of his intellect could not have failed to hold in ridicule and contempt. The distempered parson would, no doubt, have gone great lengths to avenge himself on the envious tribe of placemen and parasites, who had shut him out from the high places of ambition; but he had no idea of pulling down the Constitution which had been reared by the Pyms, the Hampdens, and the Somerses, for a Republic to be fashioned by the Hardys, the Thelwalls, and the Holcrofts.

Effrontery of Tooke.

Such was the man—ruined by a long conflict with adverse fortune, broken with bodily infirmities and advanced years—whose blood the Government now sought at the hands of a jury of his countrymen. The prisoner himself, however, so far from being moved by his dangerous position, was never in more buoyant spirits than when he was tried for his life. His wit and humour had often before been exhibited in Courts of Justice; but never had they been so brilliant as on this occasion. Erskine had been at his request assigned

to him as counsel; but he himself undertook some of the most important duties of his advocate, cross-examining the witnesses for the Crown, objecting to evidence, and even arguing points of law. If his life had really been in jeopardy, such a course would have been perilous and rash in the highest degree; but nobody in court, except, perhaps, the Attorney and Solicitor-General, thought there was the slightest chance of an adverse verdict. The prisoner led off the proceedings by a series of preliminary jokes, which were highly successful. When placed in the dock, he cast a glance up at the ventilators of the hall, shivered, and expressed a wish that their lordships would be so good as to get the business over quickly as he was afraid of catching cold. When arraigned, and asked by the officer of the court, in the usual form, how he would be tried? he answered, 'I *would* be tried by God and my country—but—' and looked sarcastically round the court. Pre-

[1] Horne Tooke, whenever he went before a Court of Justice, behaved with the greatest effrontery, and affected to turn the proceedings into ridicule. In 1781, being defendant in a civil action, to which there was no defence either in fact or in law, he nevertheless appeared in court for the purpose of insulting Lord Kenyon, who tried the cause, and of delivering a violent invective against the administration of justice. Kenyon, who had neither dignity nor temper, was so completely cowed by the parson's wit and insolence, that, after a faint struggle, he gave up the attempt to repress this scandalous outrage on the decency and regularity of his court. It was not without difficulty, indeed, that he could satisfy the jury that they were bound to give a verdict for the plaintiff.

Ch. 34. — 1794

sently he made an application to be allowed a seat by his counsel; and entered upon an amusing altercation with the Judge, as to whether his request should be granted as an indulgence or as a right. The result was that he consented to take his place by the side of Erskine as a matter of favour. In the midst of the merriment occasioned by these sallies, the Solicitor-General opened the case for the Crown. It was Hardy's case over again, with the omission of some aggravating circumstances, such as the infamous play-bill, and the treasonable copy of verses, which had been given in evidence in the former trial. With these atrocious libels it was not alleged that Horne Tooke had any connection. The law officers did not venture to produce any of the spies who had been so damaged in Hardy's case. One of the new witnesses, a man named Sharp, on cross-examination, proved enough for an acquittal. He said that the prisoner was opposed to universal suffrage, and that he only desired such a reform as would restore the constitution to the state it was in at the Revolution; that he wished to maintain King, Lords, and Commons; that he had been denounced at the Constitutional Club as an aristocrat; and that he generally absented himself from the deliberations of that body. This witness, by an involuntary repartee, for once turned the laugh against the parson. Tooke asked if he considered him a bigot; upon which Sharp, who was evidently willing to help his old acquaint-

ance as much as possible, replied that so far from being a bigot, he did not think the prisoner had any religion at all. Ch. 34. 1794

After another masterly speech from Erskine, several witnesses were called for the defence. Major Cartwright. Major Cartwright, a very honest man, known for many years, in connection with the question of Parliamentary Reform, came to prove what was already sufficiently shewn, namely, that there was a diversity of opinion among the motley members of the Constitutional Club. Some limited their views to Parliamentary Reform, the greater number of these, perhaps, holding by the Duke of Richmond's plan; many would have been content with a more moderate measure. Others, no doubt, had ulterior designs, and only used reform as a pretext or a means. But it was not proved, that there existed any such common concert towards treasonable action, as would have involved the persons who took part in the proceedings of the club in a common guilt. Fox, Sheridan, and other eminent Whigs, were called to prove, what was not very relevant, that in former years the prisoner had been favourable to moderate schemes of reform. Pitt himself was put into the box to prove, that in 1782, he and the prisoner attended a meeting at the Thatched House, to petition Parliament in favour of reform. At length, on the fifth day, the Judge summed up, and the jury, in about five minutes, agreed upon a verdict of Not Guilty.

Ch. 34. — 1794

This result was anticipated by the public with as much certainty as the catastrophe of an ill-constructed play. The whole proceeding, indeed, resembled the afterpiece which follows the grand tragedy. The intense excitement of Hardy's trial, the repeated bursts of feeling; the running commentary of rage and scorn which accompanied the cross-examination of the spies; the anxiety depicted in every countenance; the rapturous acclamation which attended and followed the great speech for the prisoner; all were wanting at the second trial. The people who thronged the Old Bailey to see Parson Horne tried for his life, resorted to the most attractive place of amusement for the time in London. The ready wit of the prisoner, his cool assurance, his battles with the Court, and with the law officers, in many of which he had the advantage, or seemed to have it, delighted the audience. Even the jury sometimes joined in the laughter which continually pealed through the Court. If anything was wanting to make the scene completely ridiculous, it was supplied by the counsel for the Crown. The Attorney-General, in his reply, attempted a touch of pathos. Alluding to his character, which nobody thought of attacking, he described his good name as the only inheritance he should leave to his children; and, having tears at command, began to weep. The Solicitor mingled his tears with those of the Attorney; and while the spectators regarded with amazement the unprovoked emotion of the two

old Chancery lawyers, Horne Tooke, in an audible whisper, said 'the Attorney was crying at the thought of the little inheritance he should bequeath to his children.' After the verdict had been delivered, Horne Tooke, with the irregularity and independence which had marked his conduct during the whole proceedings, made a speech to the Court and jury, in which he praised and thanked them both in an approving and patronising style, which reached the height of impudence.

Nobody expected to hear any more of the State trials; but, in the following week, the Commission again sat, when four of the prisoners, Bonney, Joyce, Kyd, and Holcroft, were acquitted, no evidence being offered against them. Holcroft, who had courted prosecution by voluntarily surrendering, wanted to address the Court; but the licence, which had been permitted to the privileged veteran Tooke, was not to be extended to the ambitious playwright; and Holcroft was peremptorily silenced.

Thelwall.

These prisoners being disposed of, Thelwall was placed in the dock for trial. Thelwall was one of those vain, shallow half-educated persons, who are to be found in the metropolis, and in every large town. He had set up as a political lecturer, but had not a particle of the talent and address which could raise him to the position of a demagogue. It is difficult to see what purpose could be answered by the conviction of such a man, after the Government had failed in their

Ch. 34. 1794

attempt on the Secretary of the great revolutionary club, and on the only individual connected with the seditious societies, whose abilities and experience rendered him formidable. The acquittal of Thelwall, which followed almost as a matter of course, was accepted by the law officers as a final defeat, and the other prisoners awaiting their trial were immediately set at liberty.

Beneficial results of the trials.

Such was the issue of these famous prosecutions. They failed in their immediate object; but, like many measures of a short-sighted policy, they were attended with beneficial effects, which their promoters never foresaw. They inspired a confidence in the tribunals far more conducive to the public safety and the maintenance of existing institutions, than the blood of a hundred traitors. The people now felt secure, under the protection of the laws, from the wild assaults of a Government stricken with craven terror, from the attempts of prerogative lawyers to torture the letter of the law to their destruction, as well as from the plots of spies and informers, who infested every haunt of business and pleasure. If these twelve men, or either of them, had been brought to the scaffold, the consequence would have been disastrous. Disturbances in all the great towns, a rising in Ireland, dangerous commotions in Scotland, would probably have ensued. An Irish rebellion, already planned, and which broke out under less favourable auspices, three years later, would have afforded full employment to the available military force. The gentry

and yeomanry, who were loyal to a man, could probably have suppressed any outbreak in the British Isles; but the English people are peculiarly jealous of blood shed in civil commotions; they had not yet forgotten the riot in St. George's fields, in which only some half dozen persons were shot down five-and-twenty years before; the Manchester massacre, as it was called, which took place five-and-twenty years afterwards, agitated the island from north to south, and is yet remembered after more than forty prosperous and happy years. The spirit of the Scottish people, slowly moved, but stubborn and dangerous when aroused, has repeatedly been shewn. Government might, and probably would, have been able to maintain its authority; but there can be no doubt that the conviction and execution of Hardy and his associates would have given a fearful impulse to the principles of the French revolution in this country.

If the Government had been advised that a clear case of treason could be proved against the members of the revolutionary societies, it would have been their duty to prosecute for the higher offence. But, if they thought there was any reasonable doubt that twelve men of plain understanding would be satisfied with the proof of a crime which is strictly defined by a single clause in a plain Act of Parliament, upon the production of a huge mass of incongruous papers, eked out by the odious and tainted evidence of spies and informers, it is equally clear that they ought not

Ch. 34. — 1794

to have charged the highest crime known to the law. We are informed, on the first authority, that such doubts existed. The Attorney-General is reported to have said, shortly after the trial of Hardy, that 'the evidence was, in his opinion, so nicely balanced, that had he himself been on the jury, he did not know what verdict he should have given.'[j] But Lord Eldon has himself recorded the reasons which determined him to frame these indictments.[k] He states, that on the examination of the prisoners before the Privy Council, the judges, who were members of that body,[l] gave it as their opinion, that the parties were guilty of high treason. He adds, still more strangely, that the cases, as treasonable cases, were the subjects of communication to, or debates in, Parliament. In these circumstances, he did not think himself at liberty to let the offence down to a misdemeanour. He thought the whole of the evidence in his possession should be laid before the jury, and that it was more important to expose the transactions of the societies, than to obtain

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[j] SURTEES' *Sketch of the Lives of Lords Eldon and Stowell*, p. 87.

[k] TWISS's *Life of Lord Eldon.* From the *Anecdote Book*, vol. i. p. 282.

[l] The only Common Law Judges who are ordinarily members of the Privy Council are the chiefs of the three courts of King's Bench, Common Pleas, and Exchequer; some one or more of whom must have presided at the trial. They would have acted with more propriety in declining functions which were within the province of the law officers.

convictions of the prisoners. To the obvious remark, that he might have obtained all the public benefit to arise from the exposure of these transactions, with the far greater probability of a conviction by proceeding as for misdemeanour, the great lawyer replies, that he might have proved too much, and that the prisoners might have claimed to be acquitted of the minor offence, on the ground that they had been guilty of the higher! Finally, the Chief Justice himself, who presided at the trial, is stated, on the same authority, to have felt a doubt at the trial, which he had not entertained at the examination before the Privy Council, whether the charge of high treason was made out. Yet, the evidence produced at the trial, was substantially the same as the evidence which had been produced before the council; certainly it could not be materially affected, in the eye of a judge, either by the cross-examinations, or by the witnesses called on behalf of the prisoners.

It only remains to be mentioned, that the verdicts were received with gladness throughout the country. At the Lord Mayor's inauguration dinner, which took place a few days after the trial, and at which the leading members of the Government, and of the Opposition, were present; the name of Erskine was received by the citizens with enthusiastic applause.

CHAPTER XXXV.

PROGRESS OF THE WAR—ACTION OF THE FIRST OF JUNE —MARRIAGE OF THE PRINCE OF WALES—CONCLUSION OF HASTINGS' TRIAL.

Ch. 35. 1794

IN the summer of this year, several leading members of the old whig connection, who had given a general support to the Government since the commencement of the war, adopted the course which became them, by accepting the responsibilities of political office. Lord Fitzwilliam became President of the Council. The Duke of Portland was appointed Secretary of State; Earl Spencer, Lord Privy Seal. Mr. Windham took the office of Secretary at War. Lord Loughborough had some time previously accepted the Great Seal on the resignation, or rather removal of Thurlow. These important changes in the administration appear to have given satisfaction to nobody. The Government stood so little in need of additional

strength, that its regular supporters were jealous of Whig connections. Many of Pitt's personal adherents were apprehensive that his power, hitherto supreme, would be materially diminished by the admission to the cabinet of these great allies. The whigs themselves were of course irritated and chagrined by the formal defection of such notable persons. It is a significant proof of the alarm which pervaded the upper ranks of society, that men of great mark should have thought it necessary to dissolve those ancient bonds of party attachment which the whigs have ever held most sacred, and to commit themselves to measures of domestic policy wholly at variance with the principles of the Revolution.

French affairs.

While the fall of Robespierre and the Jacobin party, in the course of this year, and the subsequent termination of the Reign of Terror, inspired hopes that the Government of France would no longer outrage common sense and humanity, the progress of the French arms during the same period was one of almost unvaried success. While the alliance of the Great Powers was on the point of dissolution from selfishness and jealousy, the French, with an energy and determination, which, considering their unparalleled difficulties were truly heroic, had assembled armies numbering nearly a million of men. The aggregate of the allied forces did not much exceed three hundred thousand. The campaign in the Dutch and Flemish frontiers of France was planned at Vienna, but had nearly

Ch. 35. — 1794

been disconcerted at the outset by the refusal of the Duke of York to serve under General Clairfait. That a young Prince, who had never seen active service until he was made Commander-in-Chief of the British troops the year before, should think it beneath his dignity to receive the orders of the ablest and most experienced General in the allied armies was an unheard-of folly and presumption; but the Emperor settled the difficulty by signifying his intention to take the command in person. Thus one incompetent prince who knew little, was to be commanded by another incompetent prince who knew nothing, about war; and the success of a great enterprize was made subservient to considerations of punctilio and etiquette. The main object of the Austrian plan was, to complete the reduction of the frontier fortresses by the capture of Landrecy on the Sambre, and then to advance through the plains of Picardy on Paris;—a plan which might have been feasible the year before, when the French were attacked on all sides, and beaten at almost every point; but should have been pronounced hopeless now, when the enemy had repaired the most formidable of his losses, and had almost completed his military preparations on a scale unparalleled in modern history. The King of Prussia formally withdrew from the alliance[a]; but condescended to assume the character of a

[a] A Declaration of the King of Prussia to the German Empire, on his secession from the Continental Confederacy, 13th March.—*Annual Register*, 1794. *State Papers*, 379.

mercenary. In the spring of the year, by a treaty with the English Government, his Prussian Majesty undertook to furnish sixty-two thousand men for a year, in consideration of the sum of one million eight hundred thousand pounds, of which Holland, by a separate convention, engaged to supply somewhat less than a fourth part. The organisation of the French army was laid out under the direction of Carnot, the Minister of War, a man of great ability, and the only member of the Committee of Public Safety who rendered great services to his country without being implicated in the atrocious acts of his infamous colleagues. The policy of terror was nevertheless applied to the administration of the army. Custine and Houchard, who had commanded the last campaign with a credit and success which would have won honours and rewards from any Government, were sent to the scaffold, because the arms of the republic had failed to achieve a complete triumph under their direction. The guillotine was added to the furniture of the camp, under the absolute control of two conventional commissioners, St. Just and Le Bas, well fitted for such a charge. Pichegru, the officer, now selected to lead the hosts of France, went forth to assume his command with the knife of the executioner suspended over his head. His orders were to expel the invaders from the soil and strongholds of the republic, and to reconquer Belgium. The first step towards the fulfilment of

Ch. 35. — 1794

this commission was the recovery of the three great frontier towns, Condé, Valenciennes, and Quesnoy. The siege of Quesnoy was immediately formed; and Pichegru, informed of or anticipating the plans of the allies, disposed a large force in front of Cambray, to intercept the operations of the grand central division of the allied army upon Landrecy. The campaign was not regularly opened until the arrival of the Emperor, which did not take place until the second week in April. His Imperial and Royal Majesty entered Brussels with a magnificent retinue, and was received with the usual demonstrations. After five days spent in public receptions, proclamations, and congratulations, on the victories which awaited him, the Emperor left Brussels and set out for the army. On the 16th of April, the army was reviewed before Valenciennes, and on the 17th a great action was fought in which the allies obtained a success, sufficient to enable them to press the siege of Landrecy.

Escape of the Emperor.

The Emperor, soon after this engagement, returned to Brussels, to undergo the ceremony of inauguration as Duke of Brabant. In leaving the capital of his Flemish provinces, which, in a few short weeks, was to welcome the representative of a new Sovereign, His Majesty had a narrow escape from falling into the hands of the Republican army, the vanguard of which had been pushed forward so far as to cut off his communication with the lines of the Allies. A gallant

charge by a handful of British soldiers, drove back the enemy with considerable loss, and rescued His Majesty from a danger which he would not have encountered had he not thought his performances at vain and idle pageants of more importance at that critical time, than remaining in his place at the head quarters of the army. Pichegru, a few days after, sustained a signal repulse from the British, in an attempt to raise the siege of Landrecy; but by a rapid and daring movement, he improved his defeat, and seized the important post of Moucron. The results were, that Clairfait was forced to fall back on Tournay; Courtray and Menin surrendered to the French; and thus the right flanks of the Allies was exposed. Landrecy, which, about the same time, fell into the hands of the Allies, was but a poor compensation for the reverses in West Flanders, which was thus placed in imminent danger. The Duke of York, at the urgent instance of the Emperor, marched to the relief of Clairfait; but, in the meantime, the Austrian General, being hard pressed, was compelled to fall back upon a position, which would enable him for a time to cover Bruges, Ghent, and Ostend. The English had also to sustain a vigorous attack near Tournay; but the enemy were defeated with the loss of four thousand men. It now became necessary to risk a general action to save Flanders, by cutting off that division of the French army which had outflanked the Allies. By bad

Ch. 35. — 1794

management and want of concert, this movement, which had been contrived by Colonel Mack, the chief military adviser of the Emperor, was wholly defeated. The English were the greatest sufferers, chiefly through the rashness of the Duke of York, who, having detached two battalions which covered his right wing, the enemy promptly seized the advantage thus offered them. The British fought with their usual bravery; but no bravery will compensate for an utter want of military skill. The French took fifteen hundred prisoners, and sixty pieces of cannon. A thousand English soldiers lay dead on the field, and the Duke himself escaped with difficulty.

Check of Pichegru.

Four days after, Pichegru having collected a great force, amounting, it has been stated, to one hundred thousand men, made a grand attack upon the Allied army, exhausted by the recent conflict, and deprived, as he supposed, of the greater portion of their artillery. The battle raged, from five in the morning until nine at night, and was at length determined by the bayonet; it was then that the French, for the first time during the war, experienced this formidable arm, which, in the hands of the British Infantry of the Line, is almost invincible. In consequence of this check, Pichegru fell back upon Lisle. Enraged at a repulse which proved the superiority of the British troops, the French executive, on the flimsy pretence of a supposed attempt to assassinate Robespierre, instigated by the British Government,

procured a decree from the Convention, that *no English or Hanoverian prisoners should be made.* In reply to this atrocious edict, the Duke of York issued a General Order, enjoining forbearance to the troops under his command. Most of the French Generals, from whose breasts the principles of military honour and humanity had not been effaced by the spirit of a fell democracy, refused to become assassins; and many of the troops themselves murmured at a duty, which brave soldiers could not perform without disgrace. The decree was carried into execution in a few instances only; and the French Convention took little by their act, beyond adding another title to the execration of mankind.

Proclamation of the Emperor.

The Allies gained no military advantage by the action at Pont Achin on the 22nd of May. The Emperor, alarmed at the danger which threatened his Flemish provinces, issued a proclamation, in which he acknowledged that he was no longer able to provide for their protection, unless they would recruit his army forthwith by a general levy throughout the Austrian Netherlands. With this demand the Belgians had not the means, if they had the inclination, to comply. A colourable conscription was made, but with no substantial results; and the great towns made preparations to welcome the armies of the Republic, which were soon to be their masters. These demonstrations completed the abject terror of the Emperor. Without any further attempt to protect the

Ch. 35. — 1794

distant dominions of his house, of which he had only a few weeks before solemnly assumed the Sovereignty, and without any regard to the common cause in which he was engaged, Francis precipitately abandoned the army, and retired to Vienna. He left some orders and proclamations behind him, to which nobody thought it worth while to pay any attention.

Fall of the Belgian fortifications.

On the 5th of June, Pichegru invested Ypres, which Clairfait made two attempts to retain, but without success. The place surrendered on the 17th; Clairfait retreated to Ghent; Walmoden abandoned Bruges; and the Duke of York forced to quit his position at Tournay, encamped near Oudenarde. It was now determined by the Prince of Coburg, who resumed the chief command after the departure of the Emperor, to risk the fate of Belgium on a general action, which was fought at Fleurus on the 26th of June. The Austrians, after a desperate struggle, were defeated, at all points, by the French army of the Sambre under Jourdan. Charleroi, having surrendered to the French the day before the decisive engagement, and the Duke of York being forced to retreat, any further attempt to save the Netherlands was hopeless. Ostend and Mons, Ghent, Tournay, and Oudenarde, were successively evacuated; and the French were established at Brussels. When it was too late, the English army was reinforced by seven thousand men under the Earl of Moira. These succours arrived at Ostend on the

fatal day at Fleurus, and Lord Moira effected a junction with the Duke of York a day or two after the enemy had entered Ostend. Ch. 35. 1794

Recapture of the Flemish fortresses.

It now only remained for the French to recapture the fortresses on their own frontier, which had been taken from them in the last campaign. The covering army of the Prince of Coburg having been withdrawn for the action at Fleurus, a separate force was detached under General Scherer, to effect the reduction of these places. Landrecy, on the capture of which, the Allies had founded their base of operations for the campaign, fell without a struggle. Quesnoy, the weakest of the chain of fortresses on the northern frontier, made a gallant resistance; notwithstanding, the garrison had been threatened with the sword, if they failed to surrender within twenty-four hours after summons. Valenciennes and Condé, though each capable of sustaining a long siege, either from treachery or cowardice, opened their gates to the enemy.

Dutch population in favour of the French.

The victorious armies of the Republic were thus prepared for the conquest of Holland. They found the Netherlands in a fit state for successful invasion. The Prince of Orange made an appeal to the patriotism of his countrymen; but the republicans preferred the ascendancy of their faction to the liberties of their country. The Dutch were no longer that heroic people which had been content to restore their country to the sea, rather than its soil should be trod by the legions of

Ch. 35. — 1794

France. A proposal to open the dikes was resisted by a popular demonstration at Amsterdam; and it was declared that the city would rise against the Prince of Orange and the English, if they attempted to occupy it for the purpose of preventing the entrance of the French. It is not necessary to pursue the ignominious details of the subjugation of Holland. After a series of unavailing efforts on the part of the Allies, and much valuable blood shed in an ungrateful cause, the English troops finally withdrew from the Low Countries in the early part of the ensuing year.

Corsica. Paoli.

The other military operations of the year, in which England was engaged, do not require prolonged notice. The Corsicans, under the guidance of their veteran chief, Paoli, who had resided for many years in this country, sought the aid of England, to throw off the French yoke, and offered in return their allegiance to the British Crown. The island itself was worthless as a permanent possession, and of little value as a military position to a country which had the command of Gibraltar; but a small force was despatched, and, after a series of petty operations, Corsica was occupied by British troops, and proclaimed a part of the British dominions.

British expedition to the West Indies.

An expedition on a greater scale was sent to the West Indies. Martinique, St. Lucie, and Guadaloupe were easily taken; but the large island of St. Domingo, relieved by a timely arrival of suc-

cours from France offered a formidable resistance. The English, who anticipated an easy conquest, unexpectedly found themselves opposed by a French force far superior in numbers to themselves, by the disaffection of the inhabitants, and by an enemy more formidable than either, the deadly pestilence of the climate. The British, after holding out during the summer and a part of the autumn, were at length compelled to make their final stand in the town of Basseterre, the only part of the island of which they retained possession. There they remained for more than a month, exposed to a destructive fire, awaiting reinforcements from England. But when the reinforcements arrived, they were, as usual, too late, and inadequate even if they had been in time.

Campaign on the Rhine.

The campaign on the Rhine was undertaken by the Allies under auspices ill calculated to inspire confidence, or even hope. The King of Prussia, not content with abandoning the cause, had done everything in his power to thwart and defeat the operations of the Allies. He positively refused his assent to, and by his authority prevented the execution of, the important measure proposed by the Emperor, and sanctioned by the Diet, of arming the Rhenish provinces. He required that the supplies of his army should be furnished at the cost of the Germanic States, and that, from a given date, the whole of their pay and equipment should be provided from the same source.

Ch. 35. — 1794

These exorbitant demands not being immediately complied with, Frederic William ordered his troops to quit their advanced position, and fall back upon Cologne. Many of the States, alarmed at the movement, were willing to yield to his rapacity, whereupon the Prussian Monarch rose in his demands, and insisted on being paid the expenses of the Siege of Mentz, in the preceding year. At length he consented to receive, for his temporary services, the British subsidy already mentioned. It was, in fact, necessary to comply with this extortion, unless the Allies were content to abandon the defence of the Rhine.

Austrians cross the Rhine.

In consequence of these negotiations, the season was far advanced before the German armies were ready to take the field. On the 22nd of May, the Austrians crossed the Rhine, and attacked the French in their entrenchments without success. On the same day, the Prussians defeated a division of the Republican army, and advanced their head-quarters to Deux Ponts. Content with this achievement, the German armies remained inactive for several weeks, when the French, having obtained reinforcements, attacked the whole line of the German posts. After a succession of engagements, attended with various forunes, the energy of the Republicans, rather than any superiority of military skill, obtained the advantage. The Prussians were compelled to evacuate Deux Ponts, and fall back on Mentz; the Austrians were forced once more to retreat across the Rhine.

The French having by this time virtually achieved the re-conquest of Belgium, the armies of the Rhine and the Moselle, detachments of which had been engaged on the northern frontier, effected a junction, and pushed forward to expel the Austrians and Prussians from the soil of France. In this operation they were completely successful; before the end of the year, the Allies were in full retreat, and the Republicans, in their turn, had become the invaders of Germany. They occupied the Electorate of Treves, and they captured the important fort of Manheim. Mentz also was placed under a close blockade. Such was the result of the campaign on the Rhine. All hope of making that river either the boundary of French ambition, or a base from which the Republic could still be attacked, had for the present vanished. The Emperor was content to think himself secure at Vienna. The King of Prussia, more jealous of the aggrandisement of Austria than careful for the common cause of kings and established governments, was prepared to make a separate peace with France, which should secure his own interests. The petty states of Germany, dismayed at the selfishness and incapacity of the two great potentates of the empire, knew not where to look for help, and already regarded their positions as desperate.

England successful at sea.

At sea, England maintained her ancient reputation. The French had made great exertions to fit out a fleet, and twenty-six ships of the line were

Ch. 35. 1794

assembled in the port of Brest. This squadron was destined for a particular service, of greater immediate importance even than a victory over the British. The city of Paris had long been subject to periods of scarcity; under the Monarchical Government, the clamour for bread, like every other clamour, had been suppressed by the strong arm of power; but since the Revolution, the populace naturally expected the Government, which they had set up, to provide for their wants. Under the immediate pressure of hunger, they had sometimes taken the law into their own hands, and plundered the bakers' shops; but this expedient would not bear too frequent repetition. The Government had, therefore, imported large supplies from America and the West Indies; and it was to ensure the safe passage of this precious freight from molestation by the English cruisers, that the best ships of the Republic were sent to sea. The English Channel Fleet, under Lord Howe, consisted of thirty-two sail of the line. Six sail having been detached to convey the outward-bound East India merchantmen, and one ship having been separated from her comrades, the British Admiral had twenty-five ships of the line under his immediate orders. The Brest fleet of twenty-six sail of the line, more heavily armed than the British, had put to sea, in the execution of the special duty with which they were charged. A fog prevented the hostile navies, equally eager for action, from coming in contact

for some days. On the 29th of May, a partial engagement took place; but the fleet separated without any decisive result. After cruising and manœuvring in thick weather for two days, the fog dispersed on the morning of the 1st of June; and the English Admiral found himself to windward of the enemy. The numbers of the opposing ships being so nearly equal, almost every ship on each side was separately engaged, although the regular line of battle was maintained. Howe's object was to execute the celebrated manœuvre of breaking the enemy's line, which after an hour's hard fighting, was accomplished with complete success. This manœuvre being invariably decisive of the action, it only remained for the British Admiral to secure his prizes. Of these, six were taken into port, a seventh having sunk on her passage. One French ship went down during the engagement, with nearly all her crew. Eighteen sail of the line, though much crippled, made their escape to the French coast.

This victory was extolled in England as one of the most glorious achievements of the British arms. It was, no doubt, in the highest degree creditable to the ability of the Admiral, and to the seamanship of the fleet. The ships on each side, their rating and armament, were so nearly equal, that the difference can hardly be considered as of much account. The slight disadvantage, on the part of the English fleet, was more than compensated by the superior quality of the officers and

Ch. 35. — 1794

men. Most of the French officers were taken from the merchant service, and had little or no experience in men-of-war. The crews were in great part landsmen, many of them country people, hastily pressed into the service; the proportion of seamen, trained in the discipline of the service, being very small. The Admiral himself, Villaret Joyeuse, had been only recently promoted from a subordinate rank. The action of the 1st of June, was, therefore, inferior to Rodney's action, which it resembled, and after the model of which it appears to have been fought; and was insignificant when compared to the subsequent achievements of Nelson and St. Vincent. The victory itself was fruitless. The American convoy which it was of so much importance to intercept, arrived in safety at Brest, twelve days after the battle.

Pressure of taxation.

Notwithstanding the public joy at the glorious day of June, an impatience for peace became manifest throughout every class of society. The pressure of taxation began to be felt, the war having already added more than twenty millions to the permanent debt. The prospect of putting down French democracy by force of arms had faded, even from the heated visions of country gentlemen. The grand alliance of the European powers, which was to be content with nothing less than the restoration of the French monarchy, was already on the point of dissolution; and the shameless hypocrisy of the pretences on which it

was founded were exposed to the disgust and derision of all men, when the eagles of Austria, not the lilies of France, were displayed on the citadels of Condé and Valenciennes. A war to restore Christian and civilized Government in France found numerous supporters; but a war to subject France to the fate of Poland, was a war in which the English nation could take no part. The German powers, unable to agree on the division of the spoil, even if they got possession of it, were prepared to make terms with the republic; and it was extremely doubtful whether either Austria or Prussia would take the field in the ensuing spring. Holland, in whose defence this country had taken up arms, was no longer willing to take the necessary measures for her own defence. The Northern States of the Union had already formed an alliance with the French republic, and formally notified their secession at the Hague. The city of Amsterdam, the capital of the Union, was only restrained from taking the same course by the presence of an army. The English, far from being welcomed as saviours, were execrated by the Dutch forces, as the only obstacle to the conclusion of a treaty with France; and this appeared to be the sense of a large majority of the people of the United Provinces.

The reason which had been hitherto urged with much force against peace with France, that no Government existed with which it was possible to negotiate a treaty, was much weakened, if not

Ch. 35. — 1794

entirely removed. Since the death of Robespierre and his colleagues, the reign of Terror had ceased; the Jacobin Club had been suppressed; the seventy-three Girondists who had been expelled from the Convention were restored to their places; the freedom of religious worship was decreed; and finally, to the satisfaction of all men, the ministers and agents of Terror were brought to punishment. Carrier, Fouquier Tinville, and Le Bon were sent to the guillotine. Others, who deserved the same fate, such as Collot d' Herbois and Barrère were sentenced to transportation. The unmeaning jingle of words which Pitt had put into the mouths of his friends and followers —'Indemnity for the past, and security for the future,' was no longer quoted except among rustics, as the motto for a future peace. Some of the minister's most staunch adherents were prepared to oppose him on the question of the war.

Determination to continue the war.

Parliament was nevertheless opened on the 30th of December with a royal speech in which his Majesty was made to declare his 'firm conviction of the necessity of persisting in a vigorous prosecution of the war'; and to intimate that this conviction rested on the fact, that the resources of the enemy were nearly exhausted. An amendment to the Address, which was, according to precedent, an echo of the Speech, was moved by Wilberforce, recommending that an attempt should be made to restore peace. The mover of the amendment, though a man of character and

ability, and the personal friend of Pitt, was less fitted than any member of his position in the House to give effect to such a motion. Wilberforce was chiefly guided by religious fervour in his treatment of public questions. He urged the claims of the African negro to the rights of man more from a pious abhorrence of slavery, rather than from any abstract or indomitable passion for civil liberty. He had opposed the war from scruples of a similar character as to the lawfulness of shedding blood. But as this was not the ground upon which the argument for peace could be most advantageously placed, the motion might have fared better, if it had been put in a more popular and practical form. Windham opposed the amendment in a violent and warlike speech, in the course of which he censured the results of the late trials, employing an unhappy phrase which was justly resented and long remembered. He called the accused persons 'acquitted felons' — an expression as insulting to the juries who tried them, as to the prisoners themselves. The speech of the Secretary-at-War did not much advance the cause which he had been put up to defend. He was followed in the debate by Tory gentlemen, who strongly supported the amendment, and undertook to refute the arguments by which the Minister had contended for the prolongation of the war.

Pitt was sorely vexed. Long accustomed to implicit obedience from his followers, he suddenly found his policy assailed, not by some revolted

Ch. 35. — 1794

place-seeker, or conceited coxcomb, but by men of independence and position, whom he could not treat with contempt. He sat, in the hope that somebody behind the Treasury Bench would stand up in his defence. But the back benches were silent. The Opposition, content with the course which the debate was taking, were silent too. At length Pitt was compelled to rise, not to discharge his ordinary duty of replying to Fox or Sheridan, but for the unwonted, and perhaps more difficult task of answering the Bankeses and the Duncombes. He could not and cared not to dissemble his annoyance; and, for the first time during the many years that he had been the principal mark of opposition, his temper gave way. He began his speech with great warmth, vehemently demanding whether those gentlemen who now deserted the war, supposed that we could obtain a peace which would set our commerce free, enable us to lay up our armaments, and repeal the traitorous Correspondence Act? He did not deny the *possibility* of a peace with a Republican Government in France, though he doubted whether any peace could be lasting, until Monarchy was restored in that country. He then turned upon Wilberforce, and asked in his most imperious tones, what sort of a peace he wanted? Did he want to inflict upon this country a gratuitous loss of honour, and reduce it to an unnecessary despair? Were we to abandon the Austrian Netherlands to the French? Would the honourable gentleman venture to say that?

But it was said the ground of war was removed when the Dutch negotiated for peace. 'So far from it,' he exclaimed, with a boldness of assertion which reminded some of the old members of a former William Pitt. 'So far from it,' that, even if Holland concluded a treaty with the French, it would be necessary that we should continue in arms to secure the observance of it.' But the main argument on which he relied, and in which he seems to have had entire faith, was the inability of the French to maintain a protracted war, by reason of their financial difficulties. He laid it down as an invariable principle, that all modern warfare was carried on by money; and he had only, therefore, to demonstrate that France was in a state of bankruptcy, and that she had now arrived at her last resources. Under the system of terror, the French Government had been enabled to resort to the extremity of the maximum. The Reign of Terror had ceased never to be revived; the law of the maximum was already obsolete; the paper currency was at a discount of seventy-five per cent., and, therefore, the revolutionary wars were approaching their termination. Peace, at such a moment, would enable the enemy to recover from his depression, and to devise new modes of providing for a future war. The speech, in its greater part, presented a remarkable contrast to the stately and measured harangues which the great minister usually delivered; and resembled more the style and manner of Chatham, when

Ch. 35. — 1794

he tempted, and at the same time defied opposition. When Pitt sat down, still ruffled and disdainful, Fox, elated at the course the debate had taken, immediately rose, and put forth all his strength for the reply. He rallied Windham for lamenting the decay of zeal for a war which had proved so disastrous. That zeal had been inspired by a contempt for the enemy, and a confidence in the ability of the Administration, which had proved alike unfounded. Never since the irruption of the Goths and Vandals had such reverses been experienced on the one hand, and such acquisitions made on the other. He addressed himself with great power to the two-fold grounds on which the minister had contended for proceeding with the war. He showed the utter fallacy of an argument based on a calculation of ways and means, which, though a necessary rule of action for an established Government in ordinary times, was wholly inapplicable to a people fighting for their existence, and guided by counsels of unscrupulous energy. The other proposition, that no proposal for peace should be made until a Government was established in France, which should command the confidence of His Majesty's ministers, or, in other words, until monarchy was restored, was, in itself, so extravagant and presumptuous, and opened a prospect of war so desolating and indefinite, that it could not be contemplated without dismay. The address was voted by a majority of more than three to one; but the minority was far larger than

on any division since the commencement of the war, and included some of the sturdiest supporters of the Ministry. Many reluctantly contributed to swell the majority. In the Upper House, an amendment to the Address was likewise moved, but was supported chiefly by the Whig lords.

Proceedings of the Opposition

The Opposition, very properly, took an early opportunity of bringing to a direct issue the important question raised by the Ministry, whether the existence of a particular form of Government in France should be a condition precedent to a negotiation for peace. The negative of this proposition was moved by Grey; but Pitt, though he now went so far as to say, that he did not insist on the restoration of the old monarchy, or of any specific form of Government, as a preliminary to negotiation, yet still maintained, that since the commencement of the war, no Government had existed in France capable of giving security for the observance of a treaty, and, therefore, he refused to treat with the present Government. The favourite phrase, 'indemnity for the past, and security for the future,' which his flatterers and followers had never been weary of repeating last year, was no longer heard. Pitt, himself, gave up half of it as no longer tenable. 'Reparation and security,' he said, 'were the objects of the war; but we should be content with security.' He concluded, by moving, as an amendment to Grey's resolution, 'Confidence in His Majesty's intention to effect a pacification on just

Ch. 35. — 1794

and honourable grounds, with any Government in France, which should appear capable of maintaining the accustomed relations of peace and amity with other countries.'

Intemperate language of Pitt.

Language such as this—so arrogant and offensive—could hardly fail to be resented by the whole French nation, and to aggravate the breach between the two countries. Wilberforce preferred words which professed to be a compromise between Grey and Pitt, but were substantially of the same import as those of the mover. The division showed a considerable increase of the minority on the amendment to the Address. The country was evidently awakening from the blind confidence they had so long reposed in Pitt. Late in the session, Wilberforce again urged the policy of peace, and, on this occasion, the tone of the minister was sensibly lowered. He said, that he soon expected to be enabled to enter on a negotiation, and, as this expectation was not founded on any change which had taken place in the French Government, one of the grounds on which he had, a few weeks before, declared it impossible to treat, was happily abandoned. But he still clung to the shallow and fallacious idea, that the French must yield for want of means to carry on the war. Pitt, however, had, by this time, recovered his temper; he had acquired some knowledge of the public feeling on the subject since the last debate. He did not even venture to ask his supporters for a direct vote on Wilber-

force's motion; he merely moved the order of the day, which would enable the House to avoid pronouncing any opinion. Even this modified course was marked by a sensible decrease of the majority which usually supported the Minister. Ch. 35. 1795

Eighteen millions were borrowed for the military service of the year; in addition to this, Parliament was required to guarantee the interest on a loan of four millions, which was negotiated in the English market by the Emperor of Austria. Loan to Austria.

The Speech from the Throne had announced the approaching marriage of the Prince of Wales; and some interest was manifested by the public in an event, which it was hoped might have the same beneficial effect on the heir to the throne, that matrimony is proverbially supposed to exercise on men of pleasure. The prince had attained his thirty-third year, and could no longer plead youth as an apology for his excesses. His Royal Highness had, indeed, lately lived very much in seclusion with the woman to whom he was already married in the face of the church. He was not yet weary of his wife; and, therefore, he had no desire to avail himself of the law which enabled him to repudiate his engagement. No idea of his duty to the nation in this respect ever seems to have entered his mind. But he was, as usual, much troubled by debts and want of money. He had formerly obtained relief by denying his marriage in point of fact; and he was now offered relief on the sole condition of contracting a Affairs of the Prince of Wales.

Ch. 35. — 1795

marriage in point of law. The terms were hard, but he consented. The bride selected for him was a cousin, a princess of the House of Brunswick. The choice had been made by the king; and so eager was His Majesty to conclude the business, that he despatched an experienced diplomatist, not with discretionary powers, but with positive instructions to negotiate the marriage with a young lady whom neither father nor son had seen. No blame, however, can fairly attach to the king for the part which he took in this unhappy business. The union of two persons who had never before seen each other, and whom none of the high contracting parties had seen, was in accordance with the unnatural etiquette of royal marriages. The king himself had been so married, and the union had turned out reasonably well. Perhaps there was some precipitation in pushing on the treaty; but there is no ground for supposing that the king had ever heard any report unfavourable to the character or disposition of his intended daughter-in-law.

Unwise conduct of Lord Malmesbury.

Notwithstanding the definite nature of his instructions, Lord Malmesbury was quite inexcusable, in suffering the matter to proceed without addressing some private remonstrance, or, at least, a representation of the real state of the case to the King or to the person principally interested. He must soon have seen enough to satisfy himself, that the princess was not only unfit, but could not be qualified, for the

exalted station to which she was destined. The practised observer of mankind was not long in discovering, that the future Queen of England was utterly deficient in tact; that she was 'Missish' in character and habits, and slovenly in her person. A further acquaintance proved that she was incapable of comprehending the dignity and propriety of conduct suitable to her rank. What chance of happiness was afforded by an alliance with a lady, who was dismayed, when told of the hope expressed by her father-in-law, that she was domestic in her tastes and habits? What apprehension of public scandal must have been suggested by her alarm at hearing of the penalties which awaited a Princess of Wales who should be guilty of criminal levity! And what must have been the language or demeanour which could induce her prudent and courtly monitor to advert to such a topic! But, even supposing these dangers might have been averted, could Lord Malmesbury believe, that a well-bred Englishman could tolerate a woman who required to be admonished, among other things, of the expediency of a more frequent change of body linen? Surely, Lord Malmesbury might have exceeded the letter of his instructions, under such circumstances, and given a hint, at least, to his employers, of those observations which he has since revealed to the world. The ignoble safety which is secured by a careful adherence to the letter, is despised by great minds; and should be risked by every man who

Ch. 35. 1795

finds himself in a position of responsibility. If Lord Malmesbury had confidentially advised the prince of the character and disposition of his intended bride, instead of misinforming him upon these points, the nation might have been spared a disgraceful page in its history, and the unhappy lady herself might have escaped a life of misery and shame.

The reception with which Caroline of Brunswick was greeted by the Prince, could only be paralleled by one odious precedent in English history. But the conduct of Henry the Eighth towards Ann of Cleves, abating one brutal phrase which does not appear to have been vented in her presence, was measured and polite, compared with that of the 'first gentleman in Europe' to his betrothed bride. No sooner had he approached her, than, as if to subdue the qualms of irrepressible disgust, he desired the dignified envoy, *with an oath*, to bring him *a glass of brandy*. The Princess expressed surprise, but was not discomfited. 'On the first day at dinner,' says the same authentic chronicler already quoted, 'the Princess's behaviour was flippant, rattling, affecting raillery and wit, and throwing out coarse vulgar hints about Lady —, who was present, and though mute, 'le diable n'en perdait rien.' The Prince was evidently disgusted, and this unfortunate dinner fixed his dislike.[b] It is not surprising that

[b] *Malmesbury Correspondence.—April* 8. The marriage day.

a few days terminated the cohabitation of this ill-assorted pair. The bride objected to have the husband's mistress placed about her person. This was resented; and it was only by the interposition of the king, that the insolent harlot was removed from a position so offensive to decency, as well as to the feelings of the wife.

Separation of the Prince and Princess.

No sooner had Caroline recovered from childbirth, than a formal separation took place. From that time until the sad close of her eventful career, the conduct of the neglected wife was watched with malignant vigilance; and every tangible imprudence which she committed was distorted by treachery, and moulded into shape by the pliant arts of sycophants and lawyers. Deprived of her natural protector—a stranger in the land—unfixed in principle, deficient in judgment, delicacy, and tact—the poor princess afforded ample opportunity to the unscrupulous emissaries of her lord. What began in folly ended in vice; and though there is not sufficient reason to believe that she had departed from the path of virtue before she came to England, or, even during her residence here, her

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Princess looked dignified and composed; but the Prince agitated to the greatest degree; he was like a man in despair, half crazy. He held so fast by the Queen's hand, she could not remove it. When the Archbishop called on those to come forward who knew any impediment, his manner of doing it shook the Prince, and made me shudder. The Duke of Gloster assured me the Prince was quite drunk; and that, after dinner he went out and drank twelve glasses of Maraschino.'—COUNTESS HARCOURT'S *Diary*, *Locker* MSS.

Ch. 35.

1795

subsequent conduct ultimately justified the most uncharitable opinion of her enemies.

The Prince's establishment.

A few days after the Prince's marriage, the Minister brought down a Royal Message relating to the future establishment of His Royal Highness, and communicating the unpleasant information that the state of the Prince's affairs required some special provision with regard to the appropriation of his future income. The fact was, that the Prince's debts were nearly seven hundred thousand pounds, a sum equivalent to an average annual expenditure of one hundred thousand pounds in excess of his income, since the period[c] when Parliament had paid his debts, on the express promise that his expenditure should in future be confined within the limits of his ample revenues.[d] This disclosure coming at a moment when it was more than ever important to exhibit royalty in a dignified and respectable light, was peculiarly unfortunate. Few persons who were acquainted with the audacious falsehoods by which His Royal Highness silenced Rolle and the Country Gentlemen, in 1787, put any confidence in the promises by which, in conjunction with the falsehoods, he then obtained the means of relief from his immediate exigencies; but few persons beyond those who were honoured with his confidence, be-

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[c] 1787.

[d] His annual income being £73,000 including the revenues of the Duchy of Cornwall.

lieved it possible, that, upon the payment of his debts by the nation, he would immediately begin to spend nearly three times the amount of his income. Yet such was the tale which, with a manifest sense of shame and vexation, the First Minister had to tell the House of Commons. Never before, indeed, had the Crown applied to the House to make provision for the royal family, in such terms as those which George the Third was made to employ on this humiliating occasion. He announced, with 'the deepest regret,' and without a phrase of extenuation, the necessity of making arrangements to relieve the Prince from incumbrances to a large amount. He admitted that he could not expect any grant of public money for such a purpose, and that the only mode in which relief could be granted, would be by the appropriation of such part of the Prince's future income as Parliament might think fit for the liquidation of his debts, and by the imposition of such securities as would guard against the possibility of the Prince being again involved in so painful and embarrassing a situation.

Reception of the Royal message.

The House listened to this extraordinary communication with the respectful silence with which a royal message is received; but after it had been read from the Chair, a murmur of surprise and indignation arose from all sides; and when Pitt made the usual motion, that the message should be referred to a Committee of the whole House, a country gentleman started up and moved that the

Ch. 35. — 1795

king's message of the 21st May, 1787, relating to the debts of the Prince of Wales should be read by the clerk. This being done, as a matter of course, the same member moved for a call of the House on the day when the subject was to be considered. Pitt resisted this as unusual and unnecessary; but the temper of the House was such that he found it necessary to give way. He even tried, against his nature, to assume a conciliatory tone; but the House would not be conciliated; and the excitement was such as had hardly been equalled by any of the debates on the French Revolution, or the War. The general feeling of indignation first found an utterance from the lips of Grey, the most rising, and the most respected member of the party of which the Prince had been long the reputed head. But Grey had ceased to be numbered among the Prince's friends, since that day when he had declined to serve his Royal Highness by treachery and prevarication.* He now stood forth to denounce the selfishness and meanness which sought to add to the burdens of the people at a time when every class was suffering, and the poor were reduced to the extremity of privation. He exposed the flimsy pretext under which it was intended to obtain a vote of money for the payment of the Prince's debts, and desired to know, in plain truth, what burdens they were called upon to bear for his Royal High-

* See Vol. iii. p. 325.

ness. Several members followed, and demanded an enquiry into the circumstances which had led to a breach of the solemn promise, of 1787, when the Prince's debts had been paid. None of the Prince's friends said a word in his defence. Fox and Sheridan, not certainly rigid moralists, and neither of them wanting in courage or generosity, maintained a significant silence. Pitt, who had not, perhaps, been either unprepared or unwilling to hear some severe remarks on the Prince's conduct, became alarmed at the course which the debate was taking. Without attempting to palliate what had been done, he deprecated in the most earnest manner the investigation which was proposed. He implored the House to recollect, before it gave way to heat and resentment, that in the issue of the discussion was involved the credit of the hereditary monarchy, and, consequently, the safety of the country. He proposed that day fortnight for the consideration of the subject in the Committee of Supply, and it was ordered that the House should be called over on that day.

Pitt's proposal to relieve the Prince.

The plan which Pitt ultimately proposed for the relief of the Prince's embarrassments was a tacit admission that no confidence whatever was to be placed either in his Royal Highness's promises, or the stability of any good resolutions he might form. The Prince's income was to be increased to one hundred and twenty-five thousand a year. The revenues of the Duchy of Cornwall were to

Ch. 35. 1795

be sequestrated and formed into a sinking fund which, at the end of twenty-seven years, would extinguish the principal debt. Twenty-five thousand pounds a year were to be set aside for the payment of interest. All this was plain matter of business; but the plan, by which it was proposed to guard against the growth of future claims upon the patience of the country, was nothing less than the enactment of a special law of contract for the particular case. The officers and servants of his Royal Highness were to be liable for the contracts which they should enter into on his behalf; and the legal remedy, for the recovery of any debt due by the Prince, should cease after the expiration of three months from the time when the debt accrued. Pitt had named a distant day for the Committee of Supply in the hope that the House would cool. But the heat had only grown more intense, and had spread beyond the Prince of Wales to the King, the Royal Family, and even to monarchy itself. The leaders of Opposition could no longer refrain from offering their opinion. Fox said that he took a view of the matter which would be acceptable to none of the parties concerned. He thought the Prince had rashly undertaken in 1787 to make no further application to Parliament; but having made the promise, he was bound in honour to keep it. He was willing, however, to grant the increased income, provision being made either by a sinking fund or by the sale of the duchy lands, for the

liquidation of the debt. He censured the king and the ministers for having suffered the matter to come before Parliament. He contended that the debts ought to have been defrayed out of the civil list; and deprecated the invidious proposal to make special provision by Act of Parliament against the future liabilities of the Prince of Wales. He would support such an enactment, if it was made to apply to the Royal Family in general, as a permanent law. Sheridan and other members, some of whom were connected neither with the Prince, nor with the Opposition, followed in the same sense. An amendment moved by Grey, to reduce the proposed additional annuity by twenty-five thousand pounds, was rejected by a majority of only two to one, which, considering the state of the House at that period, might be regarded as a strong expression of its real opinion in favour of the amendment. A great struggle was made to refuse any parliamentary recognition of the debts, and to provide only for the additional establishment which the Prince's marriage might be supposed to render necessary. Grey and Sheridan took this view, but Fox supported the proposal of the Government, that sixty-five thousand pounds of the additional income, together with the revenues of the Duchy, should be applied to the payment of debts, leaving a clear sixty thousand a year as available income. A commission was appointed for the administration of the funds so appropriated;

Ch. 35. — 1795

and the stringent provisions against future debts, which Pitt had proposed, and which nothing but the incorrigible conduct of the heir apparent could justify, were likewise adopted.[f] The discussions of these various details were continued until the close of the Session; and the irritation attending them was not abated by the whispers which were circulated before the Bill had left the Commons. It was said that the royal bridegroom having gained the end of his marriage, had already cast aside his wife, and returned to his paramour. This was the commencement of a chapter of scandal and infamy, of which the existing generation did not see the close.

In this Session, Warren Hastings was acquitted upon all the articles of impeachment exhibited by the Commons. If a jury were justified in refusing to find a man guilty of a charge, which it took nine hours to state,[g] much more difficult was it to convict a man of a charge which it took eight years to prove. The whole trial, if trial it is to be called, was a preposterous caricature—a mon-

[f] With reference to this subject, Fox writes to Lord Holland: 'The Prince's business turned out as I foretold you, Pitt adopted my plan, for which, though I believe the King and the Prince are a good deal displeased at him, they are not more pleased with me. However, I could not do otherwise than I have done, and I am sure it is the best plan for the Prince's real interests, and the only one which can operate to soften in any degree the general odium against him.'—Fox's *Correspondence*, June 14, 1795.

[g] Ante, p.94; Hardy's trial.

strous thing, whose proportions could not be measured by any known rule of justice. A prosecution which was opened by a succession of orations, embellished with all the arts of rhetoric, exaggerating every fact, and replete with inflammatory comments, was so great a perversion of all rule and practice, that, from the first, it was impossible to regard the proceeding as one which really involved penal consequences. As the trial proceeded, it was plain to all men that there could be no practical result, and the great speeches having been delivered, all public interest in the matter was exhausted. The case for the prosecution having been brought to a close, in the fifth year of the trial, the counsel for the prisoner, Law,[h] a King's Bench barrister of promise, gravely rose to address the Court for the defence. Law had conducted his case throughout with great skill and judgment. Not attempting to emulate the high-flown eloquence of the managers, he opposed to their sounding periods, their metaphors, their invectives, their perorations, the impenetrable shield of legal learning, of common sense, and professional practice. The managers, although themselves assisted by counsel, conducted the examination of the witnesses, for the most part, with an utter disregard to the rules of evidence; and whenever the counsel for the prisoner attempted to restrain the evidence within legal

[h] Afterwards Lord Ellenborough, C. J.

Ch. 35. — 1795

bounds, Burke flew into a passion, asked them how they dared interrupt the Commons of England, called them pettifoggers, and accused them of attempting to suppress the truth. Sometimes, however, the law lords interposed; and on one occasion, after the counsel, the chancellor, and several peers, had in vain attempted to moderate the violence of Burke, the primate stood up and declared the conduct of the manager to be intolerable. 'If Robespierre and Marat,' said his Grace, 'were in the manager's box, they could not say anything more inhuman, and more against all sentiments of honour and morality, than what we have been often used to since this trial has commenced.' Another time, when the defendant complained of the hardship to which he was exposed by the great length of the trial, Burke replied, that the trial was protracted by the defendant's counsel, who would persist in making objections to evidence. The proceedings in Westminster Hall were diversified by debates on legal points in the House of Commons, in which the guilt and innocence of the defendant were incidentally canvassed by the partisans on both sides. Burke went so far as to say that Major Scott, who systematically defended Hastings, and was supposed to have owed his seat to the Indian interest, ought to be expelled the House.

The best case that ever was launched would infallibly have been ruined by such management as this. The people of England, who have always

been remarkable for their deference to the law, and their jealousy of the due administration of justice, would have risen with indignation had they understood that the strange scene which might be occasionally witnessed during the Session of Parliament was in reality a solemn trial which involved the liberty and fortune of a fellow-subject. But this was what nobody believed. Hastings was eventually acquitted of charges so loose and vague, that the same result must have followed a trial before a regular tribunal. But though acquitted, the accused, suffered penalties hardly inferior to those which could have been inflicted had he been prosecuted to conviction. He suffered a partial imprisonment of eight years, and he was in effect fined seventy thousand pounds. The cost of his defence, indeed, including incidental charges, far exceeded that amount. The whole of his private fortune had been absorbed by the expences of the trial, and he left the bar of the House of Lords without a shilling in the world.

Such was the trial by impeachment; in theory, the highest act of justice which can be performed by a free people; but an act so strange and cumbrous in its process, so transcendant in its character, that it has been little understood or valued by a people who chiefly regard promptitude, precision, and fairness, in the administration of the criminal law. The history of impeachment in this country, until the case of Hastings had furnished

Ch. 35. — 1795

no instance in which that remedy was resorted to or attempted, except to gratify the revenge or the animosity of political faction; and the case of Hastings shewed that the trial by impeachment was wholly unfitted for an issue which involved a substantial and determinate accusation. In future, whenever it is intended to inflict punishment on a public malefactor, some charge will, if possible, be reduced into a definite form and referred to the ordinary tribunals. The charges of bribery and extortion, into which this huge indictment ultimately resolved itself, might have been tried before a court of criminal jurisdiction, and Hastings would have been acquitted within a week. The Rohilla charge — the one charge which could not have been tried by a judge and jury — the charge which involved delinquency of the gravest character — which was clear and specific — and to which it is difficult to conjecture what answer could have been given — was the one charge which the Commons declined to urge.

Long before the impeachment was brought to a close, public opinion by an intuitive action of common sense had pronounced an acquittal. The proceedings, which had opened with such imposing grandeur, soon dwindled into a dreary and irksome formality. The eloquence, which had shaken Westminster Hall, the terrible tales of cruelty, perfidy, and extortion, which had caused men to shudder and women to be carried fainting from the court, had been subjected to the test of evidence. Then

it was found that a multiplicity of petty facts was insufficient to sustain these enormous charges; the charges themselves soon shrank away and appeared frivolous and vexatious; and the indignation, which had been invoked against the accused, was turned upon the accusers. Englishmen, accustomed to see prisoners tried for their lives, and to serve as jurymen before the judges of the land, heard the managers for the Commons contend that they were not bound by the rules of the courts below, and assert a license of proceeding against the accused party only to be compared to the license which obtained in the Revolutionary tribunal at Paris. They heard leading questions addressed to the witnesses for the impeachment; and the very answers put into their mouths, while the witnesses for the defence were, under the pretext of cross-examination, insulted and abused in a manner which the roughest practitioner at the Old Bailey would not have ventured to adopt. At length, when the trial was nearly over, the Marquis Cornwallis, who had succeeded Hastings in the Government of India, returned home. No farther testimony perhaps was needed. Indeed, the evidence on both sides was closed — but the opinion of so great and respectable an authority, as to the estimation in which Mr. Hastings was held in India, could not be excluded. The Marquis stated, that during the seven years of his administration in India, he had been personally acquainted with the provinces

Ch. 35. — 1795

which were the scenes of the alleged outrages and crimes; that the charges against the prisoner, which were matters of notoriety, were not, in a single instance, corroborated by the natives; and that the late Governor-General, so far from having brought discredit upon the English name, had conferred a far greater amount of happiness, protection, and security, upon the people under his rule, than they had ever enjoyed under the dominion of their native princes. The story of the Begums he declared to be a gross perversion of the truth; and denied that the princesses of Oude, who were notoriously hostile to the British Government, had ever been subjected to extortion of any kind. He asserted, in fine, that the name of Hastings was respected and esteemed throughout the whole of British India.

Bribery and plunder attributed to Clive.

The wealth which he was presumed to have amassed by bribery and plunder, pointed many an eloquent invective against Hastings from the manager's box. The topic was a plausible one. Clive, who had left his father's parsonage for the desk of a factory at Fort George, returned to England in a few years, to invest his millions in the purchase of territories, palaces, and boroughs. The Governor-General of India had not fewer opportunities of enriching himself than the fortunate military adventurer. But Hastings, after ruling vast provinces with despotic sway for twelve years, returned to his native country with a private fortune of sixty-five

thousand pounds ; and would have been content, had the malice of his enemies permitted him to enjoy this modest competence in dignified retirement. The liberality, or rather the gratitude, of the Great Company did not suffer the most eminent of their servants to linger out his days in the penury to which the justice of his country had consigned him. The costs of his trial were defrayed, and an annuity of four thousand pounds was granted to him for a term of years equivalent to his life. It was intended that he should have been raised to the peerage; the design was frustrated by the scruples of the Court ; but he was subsequently made a Privy Councillor.

Retirement of Hastings.

Hastings, after his trial, withdrew to Daylesford, the ancient seat of his family in Worcestershire, where he passed the remainder of his life, which was protracted to an advanced age. In 1813, when he was in his eighty-first year, the ancient Governor-General was summoned to the bar of the House of Commons, to give evidence on the Bill for the renewal of the East India Company's Charter. When the old man was announced, the whole House rose and uncovered,—a mark of respect which is never paid but to the most rare and exalted merit. In 1815, on the occasion of the visit of the Allied Sovereigns, Hastings received an honorary degree from the University of Oxford, and was received by the students with plaudits far warmer than those which greeted the crowned heads. After his death, in 1818, the

Ch. 35 — 1795

East India Company erected a statue to the memory of their great servant, in the Town Hall of Calcutta.

Before the impeachment had completed its final stage, a Committee of the Commons was appointed to search the Lords' Journal, and report on the progress of the trial. The report drawn up by Burke, comprised a general review of the proceedings, with many unfair and indecent strictures, not only on the conduct of the defence, but even on the judicial decisions of the Great Court itself. The publication of this document, in the form of a pamphlet afforded an opportunity to Lord Thurlow to stigmatise it, in his place, in terms not more severe than just, as a libel which ought not to go unpunished. But all interest in the subject had long expired; and the lords did not think it necessary to vindicate their conduct, which only one person in the kingdom was disposed to impugn. Burke made a long reply to Thurlow the next day, but nobody listened to him. In the last week of the Session, when most of the members had left town, Pitt, according to precedent, moved a formal vote of thanks to the managers. Even this was opposed, on the ground of the violent and intemperate manner with which the impeachment had been conducted. A few languid remarks were made by some of the managers, and the motion was carried by a small majority of the thinnest House that had divided during the Session.

With the impeachment of Warren Hastings, the public life of its great author was brought to a close. On the day following the vote of thanks, a new writ was moved for the borough of Malton, without a word of preface or comment.

CHAPTER XXXVI.

EXPEDITION TO QUIBERON — NAVAL OPERATIONS — COERCIVE ACTS — NEGOTIATION FOR PEACE.

Ch. 36. — 1795

THE campaigns of 1794-5 were, in all their results, and in most of their details, favorable to the French. The conquest of Holland was completed early in the year 1795, although the remnant of the British army did not evacuate the territory of the States until April. The Duke of York had been removed from the command in December.

The King of Prussia made a treaty of peace with the French Republic early in the year. Spain, and the military principality of Hesse, concluded similar treaties during the summer. The Emperor remained firm in alliance with Great Britain, on condition of a loan of four millions six hundred thousand pounds, for the purposes of the war, being guaranteed by the British Government. England also obtained a new ally in the Czarina,

who undertook to furnish a small contingent of twelve thousand troops in exchange for the services of twelve ships of the line. This alliance was of little value, Catherine being at that time fully occupied in providing for the military occupation of the vast territory, of which, in conjunction with Frederic of Prussia, she had recently despoiled the Poles.

Under these circumstances, England was not in a condition to engage in extensive military enterprises; and the only military adventure in which she did embark ended in disaster and confusion.

Plan for invading Brittany.

In the autumn of the preceding year, the Count De Puisaye, a Breton nobleman, and chief of a Chouan band, had submitted to the English Government a project for raising a Royalist insurrection in Brittany. He proposed that an expedition, comprising ten thousand English troops, and a corps of emigrants should enter the province at different points, and effect a junction at the capital city of Rennes, the possession of which would put the expeditionary force in possession of ample magazines and munitions of every kind, if it did not, as was probable, insure the immediate success of the enterprise. From Rennes, the insurrectionary army was to extend its operations to Normandy, Maine, and Poitou; and, finally, it was intended that the Count d'Artois should be invited to assume the chief command.

The British cabinet, having consulted Lord Cornwallis, the first military authority in the

Ch. 36. 1795

service, approved of this plan; and it was determined that the British contingent should be commanded by the Earl of Moira, the officer who had served with so much distinction as second to Cornwallis in the American War.

Failure of the plan.

Many months, however, were consumed in this negotiation, notwithstanding the urgent representations of De Puisaye, that every day's delay was injurious to the cause. The Bretons, already in arms, were dispirited by the protracted absence of their leader. The emigrants in London, who were not admitted to the counsels of the Chouan chief, became jealous of his secret correspondence with the British Government, and sought to frustrate his efforts. Through the envy, if not the treachery, of these people, intelligence reached Paris, and preparations were set on foot to counteract the formidable enterprise which had been planned at London. Cormatin, who commanded the Chouan bands, in the absence of De Puisaye, following the example of Charette, made peace with the Republicans; and the Royalist levies dispersed and returned to their homes. Such were the unhappy results of hesitation and delay. The British Government, taking advantage of their own wrong, retracted the promise of immediate military aid, and confined their assistance to a small sum of money, and a supply of stores. The gallant spirit of the Chouan chief bore up even against this last cruel disappointment; and it was ultimately decided that the attempt should be made with a few French regiments in British pay,

amounting to between four and five thousand men. If these could hold their ground, hope was held out that they should be reinforced by the British contingent, upon the original co-operation of which, the plan of the Royalist General had been principally based. Not content with thus dashing down, at the last moment, the hopes with which they had so long amused these devoted men, the English Government interposed other objections of detail, with regard to the conduct of the expedition, to all of which De Puisaye yielded, contrary to his own judgment, for the sake of saving the precious time, and from fear of offending the only power on earth which could assist the heroic efforts of himself and his friends. De Puisaye wished to land on the northern coast of Brittany, where he was sure of being surrounded by friends and followers; but the cabinet of St. James's determined that he should land in the south, and Quiberon was chosen as affording a convenient station for the fleet. The chief of the expedition was not permitted even to select his second in command; and, instead of an officer in the vigour of life, with enthusiasm and *dash*, the essential qualities for such a service, the ministry named a certain Count d'Hervilly, an old military formalist of the monarchy, without an idea beyond routine, a general who might have commanded a division in a campaign upon the Rhine without discovering his incapacity; but who was destitute of every qualification which enabled the Bonchamps, the

Ch. 36. — 1795

Cathelineaus, and the Larochejaquelins to guide the ardent peasantry of the Loire. That nothing might be wanting to complete the unfortunate character of this appointment, it so happened that D'Hervilly had commanded in Brittany before the Revolution; and, by the rigour with which he suppressed a local disturbance, had earned a reputation extremely odious to the common people.

The channel fleet.

The transports which conveyed this ill-fated expedition were under the convoy of a squadron commanded by Sir John Borlase Warren. The French, who were well informed of the movements of the Royalists, sent out a fleet to intercept them; but Lord Bridport, who commanded the Channel squadron, kept the French Admiral in check, and took two of his ships. The crews of these captured ships were, with rash precipitation, drafted into the ranks of the Royalist regiments intended for service in Brittany.

Disappointment of De Puisaye

When the transports were under weigh, De Puisaye congratulated himself on having at length surmounted his preliminary, and perhaps most formidable, difficulties. But he soon found he was mistaken. Before the troops were landed, D'Hervilly insisted that his commission entitled him to the command of the expedition, and positively refused to abate his claim without fresh instructions from the British Government. As it was impossible to await the result of a reference to London, De Puisaye was compelled, for the present, to yield the point, though not without apprehension that it

might involve the fate of the enterprise. On the 25th of June, the fleet anchored in Quiberon Bay, and two Royalist officers of rank came on board to report that everything was prepared for the reception of the troops and the co-operation of the native forces. De Puisaye proposed, therefore, that the disembarkation should be effected immediately. But D'Hervilly, tenacious of his newly asserted authority, would by no means consent, until he had himself reconnoitred in due form. It was in vain De Puisaye urged that he might rely on the reports of competent officers, and that he could form no opinion for himself without landing. The punctilious pedant, nevertheless, sailed deliberately round the bay, glass in hand, although, from the nature of the coast, he could see nothing.

Landing in Quiberon Bay.

The troops and their officers, mad with impatience, were still detained on board by the petty scruples of their commander; and had it not been known that the Count was as loyal and honest as he was dull and formal, it might have been thought that he intended to ruin and betray the whole undertaking. At length, finding nobody to listen to his difficulties, D'Hervilly gave the order to disembark; and, on the morning of the 27th of June, the troops were safely landed before the small garrisoned town of Carnac. A force of two hundred Republican soldiers, which occupied the place, offered resistance; but a body of Chouans advancing on their flank, they dispersed without a shot having been fired on either side.

Ch. 36. 1795

'The troops were welcomed by the country people with the greatest enthusiasm. Those who were on the beach rushed into the sea with loyal shouts, and would hardly permit the boats to land before they took out the chests of arms and ammunition; others, men, women, and children, harnessed themselves to the gun carriages, and dragged them ashore. Cart-loads of provisions and other necessaries arrived from the interior, and were eagerly forced upon the soldiers. D'Hervilly was shocked at these irregular proceedings, so contrary to the usage of war, and so subversive of discipline. A slight accident had nearly been aggravated by the folly of the Royalist General, into a serious rupture, between the troops and their irregular allies. A stand of arms, intended for the service of D'Hervilly's own regiment, had, by mistake, been distributed among a band of peasantry; a dispute arose, in consequence of an attempt of the French sergeant to disarm the Breton regiment by force. D'Hervilly, hearing the commotion, ordered the drums to be beat, and the boats to be got ready for re-embarkation, loudly declaring that the Chouans were attacking his soldiers. Fortunately, however, the men on both sides had more sense and temper than their commander; and when De Puisaye, with several other chiefs hastily summoned, arrived at the scene of disorder, they found good humour and cordiality restored.

The first military operation was to take possession of the fort Penthièvre, which connected the

small peninsula of Quiberon with the mainland. D'Hervilly, however, could not think of approaching a fortified place without a battering train; but when De Puisaye ridiculed the idea of a siege, and offered to take the place with a handful of Chouans, the old General, satisfied by the proposal of an assault, a mode of offensive warfare justified by military precedent, consented to the undertaking. The garrison, which consisted of seven hundred men, many of whom were supposed to be well affected to the royal cause, offered no resistance, and surrendered at discretion. Four hundred of the prisoners immediately availed themselves of the permission offered them to assume the white cockade; and the remainder only hesitated to do the same from fears of the fate of their families and friends in the power of the enemy.

Ch. 36. 1795

De Puisaye, knowing that inaction must be fatal to the enterprise, and hopeless of moving his slow and punctilious colleague but by regular steps, himself pushed forward with his Chouans. Hoche, who commanded the Republicans, had, at that time, only five thousand men under his command; and his position, in a hostile country, at a great distance from his communications, was very precarious. A vigorous blow at this moment might have placed the whole country watered by the Loire, in the hands of the Royalists. Had the Breton chief been supported by a coadjutor of ordinary skill and activity, the movement could hardly have failed; but D'Hervilly, despising his

Ch. 36. — 1795

irregular auxiliaries, and not concealing his contempt for them, had withdrawn the artillery and supports from Meudon, the advanced post of the Chouans, in order to aid in the reduction of Penthièvre, which made no resistance. Hoche, taking prompt advantage of this fatal error, assumed the offensive, and driving the Chouans back in confusion, encamped upon the heights of St. Barbe, which commanded the fort. It became necessary, therefore, to dislodge the French General before any other step was taken. But the tide of fortune was changed: The attack on the French camp was repulsed; after an obstinate engagement, in which D'Hervilly was disabled by a wound, the Royalists retreated to Penthièvre, under cover of a heavy fire from the English fleet.

The royalists inefficiently supported.

Penthièvre was strong enough to hold out until the arrival of the reinforcements which were anxiously expected; but the army of Hoche was rapidly augmented, and the royalists, closely invested, saw their bright prospects rapidly fade away. The tempestuous state of the weather kept the transports from England at sea; and the Count de Sombreuil, a young nobleman in command of a small body of emigrants, was the only officer who succeeded in landing his men. This tardy and scanty reinforcement greatly depressed the spirits of the royalists, who had been taught to expect prompt and powerful support from Great Britain. Treachery, also, which might have been kept down

by success, was encouraged by misfortune, and completed the ruin of the expedition. The French prisoners who had been received into the ranks of the invaders, merely on their representations that they were willing to serve on the opposite side, only waited for an opportunity to rejoin their former comrades. These men who cared more for the military glory of France than the colour of their flag, had no vocation to support the forlorn hope of a falling cause; and it soon became known in the camp of Hoche that the republicans had friends in the garrison of Penthièvre. Many desertions took place; and a night attack on the garrison was planned in concert with the traitors. The surprise was successful. On the night of the twenty-first of July, amidst storm and tempest, the Republicans were admitted into the fort. The governor and the emigrants within the walls were immediately massacred; in a few minutes, the three-coloured flag was raised upon the ramparts; and the cannon of the fort was turned upon the peninsula, along which the corps of Sombreuil, alarmed by the sound of musketry, was rapidly advancing, amidst the roaring of the waves and winds, from its cantonments at the extremity of the land. But it was too late. The advanced guard of the Royalists was swept down as soon as they advanced within range of the cannon of Penthièvre. The main body was pressed by the columns of Humbert; and, under cover of the guns of an English corvette, which with difficulty maintained

Ch. 36. — 1795

a position within range of the shore, the discomfited Royalists, intermingled with a terrified crowd of peasantry, retreated to the sea in the hope of regaining the boats, which lay tossing on the raging surf. Humbert, unwilling to risk an engagement with desperate men, halted his troops at the extreme point of retreat. A parley took place between the Republican General and the Royalist Chief; and, after a few minutes, De Sombreuil, returning to his ranks, announced that he had concluded a capitulation with Humbert, and ordered the men to lay down their arms. The greater number obeyed, and were marched off as prisoners of war; some, who dispersed rather than yield, or trust to the faith of the Republican leader, either perished by the sword, or sought a voluntary death. The remnant of the expedition, consisting of nine hundred men, together with several hundred Chouan militia and peasantry, was brought off by the English fleet. Tallien, the Commissioner of the Convention, at the head-quarters of Hoche, refused to ratify the Convention under which the emigrants had surrendered to Humbert. The Republican Generals, from fear of this infamous wretch, and the power which he wielded, were base enough to palter with their plighted words, and affected to question the validity of the capitulation. Sombreuil, when led forth to execution, solemnly affirmed that he had capitulated, on an express stipulation that his soldiers should be treated as prisoners of war.

Other officers of rank were executed with their noble and chivalrous leader. The venerable Bishop of Dol, who had favoured the Royalist cause, underwent the same fate. All the prisoners, with the exception of a few boys, were put to death.

Results of the failure at Quiberon.

The expedition to Quiberon has been often quoted as one of the many proofs of Pitt's incapacity as a War Minister. The censure is just. The plan, as propounded by its able and energetic author, was the best military plan which had yet been submitted to the English Government. It was designed to revive and support the insurrection in La Vendée, and to organise an insurrection in Brittany, which was ripe for revolt. A junction with the army of the Upper Rhine, by way of Franche-Comté, or Alsace, was contemplated as the result of these operations. The plan had been framed by De Puisaye, in concert with the Breton leaders, with whom, as well as with the people of the province, he had unbounded influence. The alarm of the French Government at the condition of the insurgent provinces, had been shewn by the policy of conciliation which they had anxiously pursued. The haughty Republicans, who had no terms but those of defiance for the Powers of Europe, condescended to treat with the leaders of Vendéan and Chouan bands, on terms of equality and even of concession. While De Puisaye was negotiating in London, Charette, the most formidable of the Vendéan chiefs, concluded a treaty of

Ch. 36. — 1795

peace with the Republic, by which, in return for their recognition of the Republic, the Vendéans were to receive a large indemnity for their losses in the war, and many privileges which were not accorded to the French people in general.[a] A similar treaty, though not so favourable, was made with some of the Chouan chiefs. Even these terms were assented to by the insurgents only as a truce; and many of the patriotic chiefs refused any terms whatever. The principal Chouan leaders remained in arms; and Stofflet, the rival of Charette, in La Vendée, rejected the overtures of the Republicans.

Plans of De Puisaye.

M. De Puisaye accompanied the complete statement of his plans and resources, which he laid before the English Cabinet, with an emphatic intimation that their early decision, one way or the other, was of urgent importance. Yet four months were frittered away in negotiations and conferences; and it was not until the arrival of a deputation from the Breton leaders, urging the immediate return of their chief, that the Government determined upon supporting the expedition with an auxiliary British force of ten thousand men. De Puisaye was impatient to convey this joyful intelligence in person to his friends; but the Ministers detained him in England to organise the expedition. The preparations were making rapid

[a] The Treaty is dated March 7th, 1795, and is to be found in the *Annual Register* of that year, p. 255.

progress, when it became known in London that Cormatin, who commanded in the absence of De Puisaye, had entered into a truce or treaty with the Commissioners of the French Convention. The Ministry became alarmed; it was in vain they were told that Cormatin had exceeded his authority; that of one hundred and twenty-five chiefs, twenty-two only had signed the treaty; and that Cormatin himself had declared that it was only a temporising measure to obtain a suspension of arms until the opportunity for action should arrive. The English Government retracted their offer of ten thousand men, and offered a subsidy of ten thousand guineas instead. The men were to follow, in the event of the expeditionary force of a few French regiments being able to obtain a footing in the country. De Puisaye was not even consulted in the appointment of his principal officers; the most unfit man that could have been selected was forced upon him as his second in command, with a commission so obscurely drawn, that the Lieutenant claimed, and for a time exercised, to the serious hazard of the enterprise, the chief authority.[b] Had the British succours accompanied, or promptly followed the expedition, it is all but certain that it would have been successful.

[b] D'Hervilly was brought off with the remnant of the expedition, and died of his wounds in England, four months after the action on the heights of St. Barbe. This brave and loyal, though sadly incompetent officer, frequently expressed his regret for the errors into which he had been led.

Ch. 36. — 1795

It was not without much hesitation that Hoche, one of the most enterprising of the French Generals, ventured to attack Penthièvre, even after he had occupied the adjacent heights; and it is hardly possible that he could have gained the heights, or attempted a forward movement in the presence of ten thousand British soldiers. But, as it had been at Toulon, and as it had been in the former war of La Vendée, so it was at Morbihan. The British aid was too late. While the shattered remnant of the emigrant corps was retreating to the sea, along the peninsula of Quiberon, the advanced transports of the British regiments were tossing in the Channel, waiting for a favourable wind.

Charette in Poitou.

With this expedition, the cause of the Royalists may be said to have perished. Another insurrection, indeed, had taken place in Poitou; Charette was again in arms, and using every effort to obtain the aid of the British force which had been destined for service in Brittany. The first detachment of that force sailed towards the coast of Poitou, and Charette was led to believe that he might rely on its co-operation; but after a Council of War, it was determined that the troops should be landed at L'Isle Dieu, to await the arrival of the transports which were conveying the remainder of the force. At L'Isle Dieu, the army was, for the first time, joined by the Count D'Artois, who had given his authority to the expedition, and had promised to place himself at its head. The appearance, at Quiberon, of the

first prince of the blood,[c] might, in a great measure, have compensated for the delay of the British regiments; but the Republican force, which, in June, when the expedition landed at Quiberon, did not exceed five thousand men, had been increased to forty thousand when his Royal Highness landed at L'Isle Dieu, in October. Still it was not too late. The Prince's name, coupled with the promise of British reinforcements, had enabled Charette to collect an army of fifteen thousand men in a few days, and the presence of the Count d'Artois at their head, would soon have doubled their numbers, and inspired a confidence which no other event could have secured. But the Count d'Artois remained at L'Isle Dieu with the British regiments, while Charette, with his brave and devoted comrades, were left to their fate. That fate was not long delayed. Deserted by their Prince, disappointed by their allies, and closely pressed by the savage legions of the Republic, the brave Royalists in vain maintained the conflict. They fought desperately; but they were overwhelmed. Those who were not slain in the field, perished by the murderous vengeance of the enemy. Charette and Stofflet, the last of the famous leaders who had so long defied the regicide Government, were among

[c] The unhappy child of Louis the Sixteenth had lately died, a victim to ill-treatment; and Monsieur had consequently assumed the title of Louis the Eighteenth.

Ch. 36. — 1795

the last who were taken and put to death. Even when the cause was hopeless, and farther resistance was vain, the gallant spirit of Charette was unbroken. Hoche, admiring his valour, or unwilling to tempt the last effort of despair, offered the Royalist chief a ship to convey himself and his friends to Jersey. But Charette replied, that all the ships of the Republic would not be sufficient to remove the loyal adherents of the Crown from the territory where he commanded.

Vacillation of the Ministry.

The vacillation and inconsistency of the English ministers, throughout this unhappy business, gave rise to an imputation on their sincerity and good faith. It was said, not alone by disappointed partisans, but by writers on both sides, that Pitt, actuated by an impartial animosity to the French people, had artfully fomented their dissensions, and had amused one party with promises of support, which he never intended to realise. It was even alleged that, on the fatal morning when the Royalists were driven in wild disorder from Penthièvre to the sea, the British gun-boats and ships of war fired indifferently upon the advancing columns of Humbert and the retreating emigrants. No English writer can condescend to vindicate the Government of this country from a charge which could be invented only by the extreme of ignorance and malignity. The expedition to Quiberon, so far as the English ministry were concerned, was, like almost every other transaction of the war, marked by a

degree of incapacity seldom exceeded in the administration of public affairs; but there is not the smallest pretence for accusing Pitt and his colleagues of conduct which would have exhibited a refinement of cruelty and treachery more atrocious than that of Tallien and his infamous coadjutors. Ch. 36. 1795

The successes of the British navy hardly compensated for the inaction of the army during this year. A few detached engagements, in which the English had mostly the advantage, had no effect upon the fortunes of the war; but a masterly retreat of Admiral Cornwallis, from a position which exposed his squadron to great danger, proved in a signal manner the superiority of British seamanship and skill. The two small West India islands of St. Lucie and St. Vincent were taken by the French. On the other hand, the important island of Ceylon with the Malaccas, and all the Dutch settlements on the southern continent of India yielded to the British arms without resistance. The valuable settlement of the Cape of Good Hope likewise surrendered. Affairs in the West Indies.

The domestic condition of the country during this year was not prosperous. A succession of bad harvests combined, with the increasing pressure of taxation, and the languor of trade, to inflict severe privation on many classes, but more especially on the labouring people. The times were, therefore, favourable to those persons who, from ignorance or malignity, are always ready to

Ch. 36. — 1795

persuade the populace that distress is entirely owing to political causes, and that the only remedy is to be found in organic changes in the constitution of the country. The agents of sedition did not fail to take advantage of this season; and their efforts were more successful than they had been since the commencement of the French revolution.

Political Meetings.

Immense assemblages were gathered in London and the great towns, to hear how bread was made dear, and how taxes were heaped upon an overburdened people for the purposes of an effete monarchy, and a grasping aristocracy; and how universal suffrage and annual parliaments were the only cures for all these evils. Many riots took place, and a turbulent spirit of discontent became manifest throughout the country. Seditious handbills and ribald ballads were widely circulated among the common people; while persons of better education were supplied with publications in which revealed religion was assailed, together with political establishments. Paine's Age of Reason appeared at this time, and, being written in a more popular and plausible style than any of his former works, which had, from time to time, controverted the truth of Christianity, it was eagerly read by thousands, who were deluded with the idea of a new era of freedom, from which the restraints of religion and law should be alike banished.

The ministers were so much alarmed at this state of the country, that they thought it necessary

to call Parliament together in the autumn, in order that the Government might be armed with new powers for the maintenance of order, and the suppression of dangerous opinions. The Corresponding Society, which had taken the lead in the propagation of the new revolutionary doctrine, organised an immense demonstration, three days before the meeting of Parliament. They fixed upon some open ground in the parish of Marylebone, called Copenhagen Fields, a district now covered with streets and terraces, and there they collected an assemblage amounting, it was said, to a hundred and fifty thousand persons. An address to the King was voted, praying for reform in Parliament, the dismissal of ministers, and peace with the French Republic.

Outrage on the King.

The immediate result of this meeting was an outrage upon the King, when he went in state to open the Session of Parliament. A vast concourse of people filled the streets, and the procession was followed by a rabble, vociferating against the war, the ministers, and the King. In Pall Mall, opposite the Ordnance Office, the window of the state coach was perforated by a small bullet; and his Majesty, on arriving at the House of Lords, announced to the Chancellor that he had been shot at. On his return, the carriage was attacked with greater fury, and was with difficulty saved from destruction. At St. James's, the King quitted the state coach, dismissed the guard, and proceeded in his private carriage to Buckingham House. He

Ch. 36. — 1795

was still pursued by the infuriated populace, who threatened to pull him out of the carriage, and would probably have done so, but for the rapid driving of the coachman, and the timely arrival of a troop of Life Guards.

Proceedings in Parliament.

These violent proceedings prepared the way for measures of a very stringent character, to which the Ministers had already determined to require the assent of Parliament. A proclamation was, in the first place, issued, by way of introduction to two Bills; the one for the repression of seditious meetings; and the other for extending the definition and penalties of high treason. The last-mentioned Bill was introduced in the Lords. Its provisions extended the crime of treason far beyond any limits which had been hitherto assigned to it. Writing, *preaching* and speaking, which, under the existing law, would be criminal only if accompanying overt acts, were themselves constituted overt acts, and rendered the offender guilty of treason. A new offence was created, which subjected to the penalties of a high misdemeanour any person who by writing, preaching or speaking, should incite or stir up the people to hatred or dislike of His Majesty's person, or *the established Government and Constitution of the realm*. Under the last words, it is obvious that the liberty of speech and the liberty of the press might have been wholly destroyed, had it not been for the recent Libel Act, which happily deprived prerogative judges of the exclusive right of interpretation in questions

of libel. The Bill was denounced in the strongest terms by the Whig Lords; and Grenville, who introduced the measure, could refer to no better times than those of Elizabeth and Charles the Second as precedents for such unconstitutional legislation. Ch. 36. 1795

Act to repress public discussion.

The second of this pair of Bills, which was brought forward in the Commons, was intended to restrict freedom of discussion, and to render it hardly possible to hold meetings for any political purpose without infringing on the law. Every public assembly, relating to any matter concerning the Church or State, was to be held by previous advertisement, signed by resident householders; and all assemblages not convened in this manner were declared illegal. The next clause of the Bill was of the most arbitrary character. It subjected any meeting, legally constituted, to the summary provisions of the Riot Act, if, in the opinion of any two Justices, such meeting was dangerous to the public peace. By another provision, lecture-rooms, and even gatherings in the open air, to which admittance was obtained by payment, were required to be licensed, and were placed under the observation of the police.

Reception of the measure.

This measure was received by the few members of the House of Commons who were neither the obsequious followers of the Minister, nor unmanned by exaggerated terrors, with every mark of amazement and disgust. Fox had been hardly able to restrain himself, while the Minister, in stately

Ch. 36. — 1795

periods, sought to demonstrate, that the partial excesses of the untaught populace, irritated by temporary causes, were a sufficient reason for retrenching some of the most valuable liberties of Englishmen. When Pitt sat down, the Whig leader, fired with a generous indignation, started up, and denounced the measure in words of vehemence and power, which even he himself had never surpassed. He said it was better at once to declare that, after experience, and upon a review of the present state of the world, a free constitution was no longer suitable to this country; but he hoped that the people, while they were yet allowed to meet, would assemble and express their abhorrence of these measures; for if they were to be denied a legal mode of making known their grievances, they would be reduced to the level of those unhappy creatures who have no alternative between abject submission and armed resistance. This Bill, and Lord Grenville's, commonly distinguished by the names of the 'Treason Bill' and the 'Sedition Bill,' were carried through both houses by the commanding majorities which usually supported the Ministry. Fox and his friends, however, abated none of the vehemence of their opposition. When the Bills were advanced to that stage in which the details should have been discussed, Fox declined to discuss them, and hoped that they might pass in their integrity, that the people might fully understand the nature and extent of the attack which had been made upon their liberties. As to their

obedience to such laws, that, said the great Whig chief, is a question, not of duty but of prudence. Such language as this, of course, drew down upon the daring orator the solemn censure of the head of the Government. He was told that he had preached rebellion, that he had recommended an appeal to the sword, that he desired to involve the country in anarchy and bloodshed. The strong words of the Opposition leader became the text for many a Tory speech and pamphlet; they inflamed still further the overheated loyalty of the gentry, clergy, and freeholders, throughout the kingdom; and convinced, if conviction were wanting, the upper and middle classes of the necessity for rallying round the Altar and the Throne. Moderate men shook their heads, while the violent and revolutionary party alone applauded the bold language of the Whig leader. It is not easy to defend a statesman who suggests resistance to the laws made by competent authority, unless he is prepared for the consequences to which he points. It is certain, that Fox did not mean to incite the people to rebellion; and perhaps it was well that at a time when the current of public opinion ran violently in a direction opposite to freedom, and when the Government, instead of moderating the rage of the friends of order, were doing everything in their power to aggravate alarm, a great Englishman should stand up, even if he were alone, and vindicate those high principles of liberty for which the Eliots, the Hampdens, and the Sydneys had sacrificed their

Ch. 36. — 1795

lives. 'The principles of freedom of speech and freedom of the press,' said Fox, 'I have learned from my early youth, from Sydney and Locke, from Sir George Savile and the Earl of Chatham; but,' he added, 'if there were no authority for them, I would maintain them by myself. I may be told these are strong words, but strong measures require strong words.' The rash impetuosity of Windham, excited by this speech, hurried him into language, in the opposite sense, still more objectionable. He accused Fox of appealing to force, and declared that, in such case, the Ministry were determined to exert *a rigour beyond the law*. Loud cries of 'Take down his words,' forced the Minister, courageous as he was, to retreat upon an explanation, tantamount to retractation. But these rash words, as well as another insolent phrase dropped by Bishop Horsley, in the Upper House, *that the people had nothing to do with the laws but to obey them*, were long remembered, and quoted by those who would represent the Court as engaged in a systematic design to subvert the liberties of the nation.

Petitions against the Bills.

While these angry debates were agitating both Houses of Parliament, the political Associations in the metropolis and in the principal towns were preparing petitions against the further progress of the Bills. The Corresponding Society, however, thought it prudent, in the first instance, to set themselves right, if possible, with the country, by issuing a paper, in which they disclaimed all

connection between the meeting at Copenhagen fields and the tumultuous attacks which had been made on the person of the Chief Magistrate, as they affected to designate the King. The Whig Club also thought it necessary to make a distinct statement of their principles. Their manifesto was carefully drawn: it enunciated no doctrine which was not accepted by constitutional authority, and contained no approval of universal suffrage and annual parliaments, which were avowed as the basis of the affiliated societies. The appeal to public opinion against the Bills was, on the whole, a failure. Many petitions, indeed, were presented, but the bulk of them was got up under the immediate superintendence of the Corresponding Society, and emanated from the Metropolitan districts. Four counties only petitioned, and two of these were Middlesex and Surrey. On the other hand, the petitions in favour of the Bills were almost as numerous as the petitions against them; shewing that there was a powerful party in the country resolute to support the Government in any measure to put down the societies which adopted the principles, the language, and the nomenclature of the French Republic. The Bills passed both Houses; but an important modification of the Sedition Bill was effected by omitting the clause which empowered the magistrate to dissolve a meeting merely on his own judgment that it was dangerous to the public peace. The Bill was limited to three years; and it expired by efflux of

Ch. 36. — 1795

time, without having, in any instance, been put into operation. The Treason Bill was limited to the duration of his Majesty's life, and likewise remained a dead letter.

Political pamphlets.

A curious instance of the inconsistency into which the blindness of party can betray its ablest leaders and most shining lights, was exhibited during this Session. One Reeves, who held a small place in one of the public offices, a courtier and a man of some learning, with more zeal than ability or discretion, had rendered himself obnoxious to the revolutionary party by his activity in organising an association to counteract their proceedings. While the Treason and Sedition Bills were pending in Parliament, this man, intending to serve his party, published a bulky pamphlet, which he called 'Thoughts on the English Government.' It was a mere farrago, which shewed that the author was wholly ignorant of the subject on which he professed to write; the only intelligible proposition to be extracted from it was, that the British constitution was a monarchy which could dispense with Lords and Commons. The style of this piece was as contemptible as the matter; and it is difficult to conceive that any person should afford the leisure to look through it; still more that it could influence the opinion of any educated man, woman,

[d] He was the author of a book with the ambitious title of 'A History of the English Law.' It is a mere compilation.

or child. The treatise of Filmer on Divine Right, to which we are indebted for Locke's admirable essay on Government, was an able and moderate performance compared with the work of Mr. Reeves; yet such was the irritable state of the popular party, within as well as without the walls of Parliament, that this insignificant author was assailed with a vehemence and pertinacity as if he had been the most formidable opponent of the liberties of the nation. Erskine, fresh from the defence of Hardy and Thelwall, loudly called for prosecution against a dangerous and malicious libeller. Fox declared, that this unreadable treatise had a far more dangerous tendency than anything which had emanated from the Constitutional and Corresponding Societies. Sheridan insisted, that the audacious pamphleteer should be prosecuted by the Attorney-General, that the Crown should be addressed to dismiss him from his employment;[a] that he should be summoned to the bar, reprimanded by the Speaker, and made to disown his published opinions, and that his tract should be burned by the hangman. Ultimately the Attorney-General was directed to prosecute; but the jury had the good sense to see that speculative writings, however dull and absurd, were not fit subjects for penal procedure. Mr. Reeves was, therefore, very properly acquitted.

Barracks.

An attempt was made to cast censure on the Government for having expended a considerable

[a] He held a small place in Lord Hawkesbury's office.

Ch. 36. 1796

sum in the erection of barracks within the United Kingdom, as if a design had been entertained of overawing the people by the establishment of inland fortresses. But the old constitutional jealousy of standing armies, however suitable to the times in which it prevailed, had now become obsolete; and, notwithstanding the unconstitutional restrictions on freedom of discussion, which had recently been imposed, it was too late to alarm the people with any serious apprehension that their liberties were in danger from military power. If, then, the exigencies of modern times required the presence of an army within the realm, it was but reasonable that it should be housed. The practice of billeting soldiers had, from early times, been complained of as one of the grievances of the subject; and it was only a mitigation of the grievance, that one particular class of tradesmen should be compelled to entertain these unwelcome guests. Much nonsense was talked about the British soldier not having divested himself of the character of a citizen; a theory from which it was to be inferred, that an ale-house was the best place for maintaining this composite character. But a soldier without discipline is useless, and dangerous to everybody but the enemy; and discipline cannot be maintained for any length of time, over an army cantoned in the public-houses of populous towns. The extension of the barrack system was generally acknowledged to be one of the most useful measures of the administration.

The Chancellor of the Exchequer brought forward his Budget before Christmas. He borrowed eighteen millions, and among the new taxes which he proposed to defray the interest of this loan, were a duty on legacies, and a duty on collateral successions to real estate. The former tax, after some discussion, was voted by the large majority which usually supported the Government, and especially on questions of finance. But the succession duty met with a different reception. It was pursued through all its stages with violent opposition, the country gentlemen following Fox and Sheridan, instead of the leader whose call they usually obeyed with implicit submission. At length, the third reading of the Bill was carried only by the casting vote of the Speaker. The consequence was, that this part of the measure was abandoned. The landed interest wholly failed to establish a claim to exemption from a burden which they willing imposed on personal property; and their conduct on this occasion was a far weightier argument for a reform in the representation than any which had been discovered by the Corresponding Societies, or the demagogues of the platform. The vote on the succession-duty was an abuse of power; it was a vote which could hardly have been agreed to by an assembly, the majority of which acknowledged constituents to whom they were responsible.

Loan and new taxes.

Selfish conduct of the landed interest.

The cessation of the Reign of Terror in France, and the establishment of institutions which made

Cessation of the Reign of Terror.

Ch. 36. — 1796

provision for a regular and responsible Government, afforded the English Cabinet the much desired opportunity of making overtures for peace. Accordingly, on the day after he had opened his Budget, the minister brought down a message from the Crown, announcing that his Majesty was ready to open a negotiation with the French Government. The royal message anticipated a motion to the same effect, of which Grey had given notice. But the Opposition were not disarmed. They were shocked at the inconsistency of the ministers, in proposing peace with a Government composed of the same persons whom they had before objected to as incapable of making a binding treaty; and an amendment to the address was moved, because the message implied, that if the French Government should happen to undergo another change, the negotiation might be broken off. Grey himself declared that the object of the message was merely to favour the contractors for the loan. But it was obvious, that the recognition of the French Republic, though it must be the consequence of a treaty, and might be insisted on as a preliminary to negotiation, could not, with due regard to the dignity of Great Britain, be conceded upon the first overture for peace. Another party in the country, still smaller than that of the regular Opposition, objected to treat with the French Government on plainer grounds. This was the original war party, comprising, at one time, the

great majority of the upper and middle classes, who entered upon the war, not for the purpose of vindicating the inviolability of the Scheldt, but to put down democracy in France. To this idea, long since exploded by statesmen as a principle of action which ought never to have been entertained, and reluctantly abandoned as impracticable by the devotees of monarchy themselves, a few precise politicians still adhered. Lord Fitzwilliam maintained this principle, which had at the outset been avowed by the Duke of Portland, and the other Whig chiefs, who had joined the administration. Windham, though he continued in the Cabinet, also disapproved, on the same ground, of any attempt to make peace. Fitzwilliam, however, found no support, so weary of the war had all classes become. The cavils of the Opposition were equally discouraged, and their amendments to the address were negatived without division in both Houses. Nevertheless, the peace was conducted as languidly as the war. It was not until three months after the King's message to Parliament, that the proposal to treat was first communicated indirectly to the French Government. The French minister at Berne was requested, through the British Plenipotentiary at the same Court, to ascertain whether his Government were willing to settle, in Congress, the terms of a general peace? And if so, upon what basis they would be prepared to discuss such a proposal? The answer of the French Directory was prompt and decisive. They

Ch. 36. — 1796

intimated, in a tone and language hitherto unknown to diplomatic courtesy, that the offer of the British Government was insincere and delusive, and only made with the view of acquiring that character for moderation which attaches to the first proposal for a cessation of hostilities. But lest this rebuff should not be sufficient, they went on to declare, that no proposal would be listened to which involved the cession of any territory annexed to France; in other words, that they meant to retain the Low Countries. This reply, of course, put a stop to further negotiation; and the Court of London had only to address a note to their Allies, pointing out the inadmissible pretensions which precluded the possibility of laying the basis of a treaty.

Opposition against negotiation.

The Opposition who found fault with the Ministry for the attempt to make peace, were indignant at the failure of the attempt; and so little did they regard the temper of the nation, and the plain sense of the proceeding, that they undertook to defend the insolence and arrogance of the French democracy. Fox moved an address to the Crown, in which the argument of the French reply to the English overture was amplified, and its offensive language even was adopted. Pitt had an easy victory in repelling such an attack as this; several members of the Opposition joined the large majority which rejected Fox's motion.

Persistence of the Ministry.

Nevertheless, the Ministry were so intent on peace, that they determined to persevere in their

endeavours to open a negotiation. They tried the mediation of the King of Prussia, but without success. They then engaged the good offices of the Danish ambassador at London to solicit, through the agent of his Government at Paris, a passport for an English plenipotentiary. Even this advance was rejected. The domineering Republic refused to listen to a proposal for peace through any intermediate channel; and required the plenipotentiary of their enemy to attend at the French frontier, armed with full powers, and there to await the pleasure of the Directory. England was not quite so reduced as to supplicate for peace in this humiliating position; but the Government were not deterred from making a final effort to obtain a hearing. They made a direct demand for passports, to enable an ambassador, with full powers to proceed to Paris.[f] As it was difficult to find a

Ch. 36. 1796

[f] The reasons which influenced the English Cabinet, in thus seeming to court insult and humiliation, are given (not very intelligibly) by Lord Grenville. 'The Directory has sent us the most insolent answer that can be conceived; but, as the substance of it is in some degree ambiguous with respect to the main question of granting or refusing the passport, it has been thought better not to leave a loophole or pretence to them, or their adherents here, to lay upon us the breaking the business off. Another note is therefore to be sent to-day, by a flag of truce from Dover, in which the demand of the passport is renewed in such terms as seem most likely to bring that point to a direct issue, Aye or No. In other times, this last step would not only be superfluous but humiliating; in the present moment, the object of unanimity here, in the great body of the country, with respect to the large sacrifices they will be called upon to make, is paramount to every

Ch. 36. 1796

decent pretext for rejecting solicitations so pressing, the passports were forwarded; but, at the same time, to shew how unwelcome and how futile the English mission would be, two very significant notes were promulgated, by the order of the French Directory. In these documents, one of which appeared on the day after the passports had been sent, England was charged with perfidy, with intrigue, with bribery, and ambition. It was argued, that she could not possibly be sincere in her desire of peace, the effect of which must be to reduce her pretensions to ascendancy on the seas, and to elevate into rivals those maritime states which had hitherto been her dupes. Her overture for peace, they maintained, was merely a pretence, to amuse an impoverished and discontented people, and to furnish a pretext for the imposition of new burdens.

Failure of negotiations.

It was easy to foresee the result of a negotiation which was to be opened in this spirit. Nevertheless the Ministry persevered, and on the twenty-second of October, Lord Malmesbury presented his credentials at Paris, and delivered a memorial, stating in general terms the principle on which he was authorised to treat. He proposed, that a general peace should be negotiated on a basis of mutual concession, and such an adjustment of territory as should be satisfactory to the allies of Great Britain, as well as to Great Britain herself,

other consideration.'—*Courts and Cabinets of George III.* vol. ii. p. 350.

and be conducive to the maintenance of the balance of Europe. To this memorial, a derisive and insolent reply was returned by order of the Directory. The British ambassador was told that his proposal was dilatory and delusive; that he had no power to treat on behalf of any Government but that by which he was accredited; that a vague enunciation of a principle of retrocession was not a sufficient basis; and that a belligerent whose principal allies had become hostile or neutral, was not in a condition to retain the conquests he had made. As if this was not enough, the French note proceeded broadly to insinuate, that Lord Malmesbury's secret instructions were at variance with his ostensible powers; that his real objects were to prevent any other power from making a separate peace with France—to obtain from the people of England the means of carrying on the war—and to cast upon the Republic the odium of refusing reasonable terms. To this insolent paper, Lord Malmesbury was instructed to reply that his Government declined in any way to notice the offensive and injurious insinuations which it contained; that he was empowered to conclude a general peace; but that the conditions of a treaty could not be framed without the concurrence of His Majesty's allies; and that, before inviting them to accede to a treaty, he was to demand from the French Government whether they assented to the principle which he had proposed as the basis of negotiation? The French Minister retorted, by requiring Lord Malmes-

Ch. 36. — 1796

bury, *without the smallest delay*, to define expressly the objects of reciprocal compensation which he had to propose; and upon the ambassador inquiring whether this peremptory demand was the answer which he was to transmit to his Government, he was informed by M. Delacroix that it was; and the impertinent question was added, whether, on every communication he thought it necessary to send a courier to London for fresh instructions? At length, after an interchange of several notes to the same purport, an interview took place between the two Ministers. At this interview, Lord Malmesbury presented a memorial containing the final instructions from his Court. They laid the basis of the negotiation on the *status ante bellum*, which was explained as meaning the restoration of the Netherlands to the Emperor; the evacuation of Italy by the French troops, and peace with the Germanic empire, on terms which should secure the balance of Europe. On the other hand, England offered to restore all her conquests in the East and West Indies, together with the islands of St. Pierre and Miquelon, and the fishery of Newfoundland. The only reserve made was of the Spanish portion of the island of St. Domingo, the cession of which to France would give that power an undue preponderance in the Archipelago.

Impossible terms of the French propositions.

It would have been impossible for this country at that time to conclude a peace which should have abandoned the Netherlands to France; but it is hardly credible that the English Cabinet

should have believed that the French Directory would, for a moment, entertain the proposition which was laid down as the first article of the treaty. The possession of Belgium and of the Milanese had, for centuries, been the dream of French ambition; Belgium and Milan were now occupied by the armies of the Republic; and it was at this moment, that England came forward and offered, as an equivalent for these magnificent conquests, two or three paltry sugar islands, and a fishing bank in the northern seas. Such a proposal, under the circumstances, gave some plausibility to the French taunt, that the importunity of the English Government was only simulated for the purpose of persuading the people that peace was impracticable, and that they must be content to furnish the means of carrying on a war, however wearisome and hopeless. M. Delacroix informed Lord Malmesbury, at the outset of their conference, that the Austrian Netherlands were now a part of France, and that by the constitution of the Republic, they could not be given up. The ambassador replied, that a municipal law could not be set up as a bar to treaties with foreign powers; that the Allies had bound themselves to treaties, known to all Europe, not to lay down their arms without restitution of the territories of which they had been dispossessed during the war; that these treaties were older than the French constitution, and anterior to the annexation of Belgium to France. Pressed by this argument, the French minister shifted his

Ch. 36. — 1796

ground, and disclosed his real meaning. He said that the great continental powers, by the partition of Poland, and England, by her vast Colonial possessions, had altered the balance, and that it was necessary for France to extend her dominion. 'We are no longer,' said he, 'in the decrepitude of the Monarchy, but in the vigour of the young Republic.' Upon which, Lord Malmesbury remarked that if France, as a decrepit Monarchy, was considered an object of jealousy by the other powers, how much more formidable was she in her new form of a vigorous Republic; but M. Delacroix assured him that the Republic would become the most quiet and pacific power in Europe. He proceeded to throw out some suggestions for indemnifying the Emperor for the loss of Belgium, by the annexation to his hereditary domains of some of the minor states of Germany. His proposal, in fact, contemplated the entire dismemberment of the Germanic body. The British Envoy, though he declined to discuss a project so extensive in the absence of the Emperor, nevertheless, hinted that France might be compensated for the Netherlands by some of the Germanic States adjacent to her frontier, in addition to Savoy, Nice, and Avignon. The French minister's reply brought back the controversy to his original proposition. He said that these possessions were already part of the territory of France, and could not constitutionally be severed from it. Upon this, Lord Malmesbury declared, in distinct terms, that if

such a principle was to be adhered to, negotiation would be useless, as his Government never would consent that the Netherlands should be permanently annexed to France. The interview might then have terminated; but it was prolonged upon secondary points, which might easily have been adjusted, if the main obstacle could have been overcome. But the truth is, that England was not, at that moment, in a position to maintain the *status ante bellum* as a basis for negotiation.

Dismissal of Lord Malmesbury.

Nevertheless, Lord Malmesbury thought the conference might proceed, although he could not entertain any sanguine hope that it would come to a satisfactory conclusion. But he was wholly unprepared for its abrupt and peremptory termination by the French Directory. On the day after his long interview with Delacroix, Malmesbury received a note from the French minister, requiring him to sign the memorandum which he had delivered on the preceding day, and to deliver his ultimatum, in an official form, within twenty-four hours. With this arrogant and unusual demand, the Ambassador, after some hesitation, thought fit to comply. The Directory, having thus arrived at the end of the series of affronts which they had put upon the English Government, thought fit to bring it to a close by the last indignity they could offer. In a short note, drawn up without any attention to the forms of diplomatic courtesy, Lord Malmesbury was informed that the Directory would listen to no

Ch. 36. 1796

terms contrary to the constitution of the Republic; and that, as it appeared he was merely the passive agent of his Government, his continued presence at Paris was useless, and he was, therefore, desired to take his departure in forty-eight hours. This offensive paper concluded by intimating the pleasure of the Directory that any farther communication, on the subject of the peace, which the British Government might desire to make, should be on the basis laid down by the Republic, and conveyed to Paris by a courier.

Intrigues of the French in Spain.

A few days before Lord Malmesbury's arrival at Paris, the French had succeeded, through the agency of the Camarilla at Madrid, in obtaining a declaration of war by Spain against England; and while the forms of negotiation were proceeding at Paris, an envoy of the Directory was actually engaged at Vienna in endeavouring to detach the only remaining ally of this country. The pride of the Imperial Court had, however, been too deeply wounded by the campaign in Italy, and the insults to which they had been subjected by Bonaparte; the reverses which the French arms had experienced on the Rhine, counterbalanced, in some degree, the success which had attended their irruption into Italy; and it was hoped that the possession of Mantua by the Austrian General, might check the career of French conquest. These considerations determined the Emperor to try once more the fortune of war.

CHAPTER XXXVII.

BANK RESTRICTION ACT—FRENCH INVASION OF WALES—MUTINY IN THE FLEET—CONFERENCE OF LISLE—BATTLE OF CAMPERDOWN—FINANCIAL MEASURES—PATRIOTIC FUND—CHANGE IN PUBLIC OPINION.

New Parliament.

THE Prorogation had been followed by a General Election, and vigorous efforts were made, by the regular Opposition, in conjunction with the popular party, to improve their position in the House of Commons. But though all parties were weary of the war, with the exception of Windham, Lord Fitzwilliam and a few remaining disciples of the school of Burke, there was no party, beyond the avowed Republicans, willing to conclude a peace on any terms. The landed interest, which returned the majority of the House, retained undiminished confidence in Pitt. French principles of equality found little favour among the middle ranks of the English people; always more jealous of the lower, than they are envious of the upper classes. The

Ch. 37. — 1796

multitude had little or no share in the representation; but on the whole, they seldom manifested any sympathy with the demagogues, who would persuade them that their interests lay in the destruction of the aristocracy, and a political revolution. The result of the General Election, therefore, was to leave Mr. Pitt in possession of the unparalleled parliamentary power which he had hitherto maintained.[a]

The new Parliament assembled while the negotiations, already described, were in progress at Paris. The Opposition found it difficult to quarrel with a measure which, during every period and circumstance of the war, they had constantly commended; but they vehemently denounced some very moderate provision against the possibility of the invasion which the French rulers had so loudly menaced.

They did not, however, venture to divide against the Bills for the establishment of a reserve of militia, of a body of irregular cavalry, and for the addition of fifteen thousand soldiers and sailors to the regular services by levies on the parishes; but their unpatriotic and unreasonable objections

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[a] The King nevertheless appears to have thought it necessary to make extraordinary efforts to support the Ministerial majority. In a letter to Pitt, a year following this election, he says:—'I have some debts, of which the sum borrowed for the late elections makes the most considerable part, which I am by instalments paying off.'—Earl Stanhope's *Life of Pitt*, vol. iii. append. xi.

were generally disapproved, and elicited, even from the smooth and cautious Wilberforce, the sharp remark, that though the Opposition might not go the length of wishing for an invasion, they would not be displeased at some disaster befalling the country, if they could thereby promote their party objects.

New loan.

Financial affairs, and the fiscal policy of the Government, became the most important topics of debate during this Session. The Budget was opened in December. A sum of eighteen millions, required for the military service of the year, instead of being raised, as in former years, by contract, had been obtained by open subscription, with a facility which proved at once the undiminished credit of the Government, and the resources of the country. It was contended, indeed, that the terms on which the loan was effected were unduly favourable to the public — an argument which seemed to be supported by the eagerness with which subscriptions were sought. But the transaction, which gave rise to the most serious attack upon the ministers, was the advance of one million two hundred thousand pounds to the Emperor, out of the vote of credit of the preceding year. There is no point on which the House of Commons is so constitutionally jealous as its absolute dominion over the appropriation of the supplies. A vote of credit is not unfrequently granted as a temporary and provisional expedient; but such a vote is commonly in anticipation of the regular supply, and as a general rule, should be applied

Ch. 37. — 1796

only to ordinary purposes, or to those which Parliament has already sanctioned. The appropriation of any portion of such a grant, as a loan or subsidy to a foreign ally, in time of war, might be within the purpose or policy of the grant; but it would be a highly exceptional act, and justifiable only where the emergency was so urgent, that the sanction of Parliament could not be previously obtained. The first instalment of this subsidy had been paid while Parliament was sitting; and the only reason which the minister gave for his reserve was, that the Money Market would have been disturbed by the knowledge that so large an amount of specie was going out of the country. So far, however, was Pitt from putting forward this explanation by way of excuse, that he demanded a farther vote of credit of three millions, with the view of making any advances, within that sum, which the Government might think proper, to any of their allies in arms. And, in making this demand, Pitt maintained that a vote of credit entitled the Government to apply the money so voted to whatever purposes they might deem proper. But this doctrine, to be consistent with the sacred principle of appropriation, must be limited to cases in which the exigencies of the public service may require an expenditure which cannot be ascertained at the time when the vote or supply[b] of credit is granted. Pitt referred to

[b] Speaker Onslow always more properly termed it a 'supply of credit.'—3 HATSELL's *Prec.* 215 n.

several precedents in support of his position; but all these precedents were acts of power, carried, in defiance of strong opposition, by corrupt majorities, and reprobated by writers on constitutional law. The particular precedent on which the minister relied as precisely in point, was one of the most questionable[c] of the bad catalogue which he cited. The Whigs were justly indignant, and many of his supporters were offended at the insolence with which Pitt, secure in his Parliamentary following, thought fit to trample on the constitutional privileges of the Commons. The vote of censure, moved by Fox, it was not thought prudent to meet by the direct negative; an amendment, approving the measure as a measure of policy, but disavowing it as a precedent, was ultimately carried; but the minority in favour of the original question was unusually large.

During the Christmas recess, an exigency of a novel and alarming character demanded the

Drain of specie.

[c] 'All things were very quiet in Parliament till the Christmas. The first attack was in the Committee of Supply, when a demand was made for nine hundred and odd thousand pounds, advanced to the Duke of Savoy, and Prince Eugene expended on my Lord River's expedition, over and above the supplies given the last session of Parliament; they carried this so far that they moved a censure upon the Ministry for it. It was a long and warm debate, and, upon the division, we carried it in favour of the service 211 against 105.'—Sir R. Walpole to Horace Walpole, Feb. 12, 1706. — *Walpole's Correspondence;* COXE'S *Walpole,* vol. ii. p. 6. Pitt described the Ministry, in this instance, as receiving the thanks othe House!

Ch. 37. — 1796

prompt and decisive interference of the Government. For some time past, an unfavourable balance of trade, combining with, or consequent upon, the loans to foreign powers, had drawn an unusual quantity of specie from this country. The Government, also, had drawn heavily upon the Bank. The country people, alarmed by the increasing rumours of invasion, took their paper to the banks, and hoarded the gold which they received in payment. Many of the provincial establishments, depending almost wholly on their paper circulation, sank under the pressure. The Bank of England maintained its credit undiminished; nevertheless, the Directors thought fit to contract their issues; and as Bank-notes soon became as scarce as gold, the rate of interest rose to seventeen per cent.[d] The Directors, also, gave notice to the Treasury, that their advances on Treasury Notes could not, in future, exceed half a million. They yielded, nevertheless, to the pressing solicitation of the minister to such an extent that the coin and bullion in the Bank vaults, which had amounted to nearly eight millions in March, 1795, was reduced, on Saturday, the 25th of February, 1797, to one million two hundred and seventy-two thousand pounds;[e] and it was certain that the demand for gold on Monday would exhaust this balance. The country was, in fact, within forty-eight hours of bankruptcy.

[d] THORNTON *on Paper Credit*, p. 73.

[e] SMITH'S *Wealth of Nations*. M'CULLOCH'S *Note on Money*.

The Governor and Deputy-Governor of the Bank hurried to Downing Street, and in an interview with Mr. Pitt, it was determined that cash payments should be immediately stopped by an Order in Council; that a meeting of bankers and merchants should be assembled in the city early in the ensuing week, and that Pitt himself should see some of the principal bankers at his office on the following day. The King, prompt, as ever, in the performance of his public duty, immediately came to town, and on the following day, although Sunday, a Council was held, at which a proclamation was issued in conformity with the arrangement above mentioned.

Meeting of merchants.

On Monday, the Lord Mayor convened a meeting of commercial men, and a resolution was unanimously adopted, that bank notes should be received and paid as cash in all their transactions. This resolution was afterwards signed by upwards of three thousand persons engaged in business. The Stocks immediately rose two per cent., and the success of a measure, which extreme necessity alone could justify, was completely assured. On the motion of Pitt, a committee of the House of Commons was appointed to enquire into the affairs of the Bank of England; and its report was such as to restore public confidence in the stability of that great institution. It appeared that besides the advances to the Government of nearly twelve millions in course of repayment, there was a clear surplus of nearly four millions.

Ch. 37. 1796 A Bill to prohibit the Bank from paying in cash any sum exceeding twenty shillings, and from making advances to Government of any sum exceeding six hundred thousand pounds, while cash payments were suspended, was passed, after considerable opposition. The duration of the Act was limited to seven weeks; it continued in operation twenty-two years.

Arguments against the Act.

There were, of course, not wanting many weighty arguments, both in and out of Parliament, against the suspension of payments by the Bank of the State, even for a few weeks. It was said, that the Bank should have been permitted to pay in cash, while there was a coin in its coffers; and that the interference of Parliament, in this way, was an arbitrary and unjust alteration of a contract between the Bank and the public, of which every note in circulation was, in itself, legal and conclusive evidence. It was feared, not without reason, that such a proceeding would give a shock to public credit from which it might never recover; and the example of France, led on to bankruptcy and disgrace by the facility of creating fictitious money, which the issue of assignats afforded, was held up as a warning not to enter upon the same fatal course. These arguments were not easily answered; but, like many other arguments apparently as sound, they were refuted by time and experience. Public credit was unhurt, and commerce throve under laws which, so far as they extended, were a legislative declaration

of national insolvency. Not only was it so, but there arose a school of economists who taught that this anomalous state of things was the sound condition of trade and commerce; that an inconvertible paper currency was the best security for public and private credit; and that a metallic circulation was only fitted for a primitive state of society.

The Dutch fleet.

At the same time that the country was in the crisis of a financial convulsion, its soil was in imminent danger of foreign invasion. While Lord Malmesbury was amused with pretended negotiations for peace at Paris, active preparations were making in the harbour of Brest, and in the Dutch port of the Texel. A formidable fleet of line of battle ships and transports, destined for a descent on the coast of Ireland, was ready for sea at the beginning of the year; but the prevalence of storms and contrary winds, detained the fleet in port. A few of the French ships and transports, however, succeeded in crossing the Channel, and appeared in Bantry Bay, on the 24th of December; but they were unable, from the state of the weather, to effect a landing; and far from being aided by an insurrection of the people, as the French had been led to expect by the representations of Irish emissaries, they found that ample preparations had been made for the defence of the island. The expedition, therefore, returned to Brest, with the loss of four ships of the line and eight frigates, which were either sunk or captured.

Ch. 37. 1796

Another expedition, upon a still smaller scale, and apparently of an experimental character, was despatched in February to attempt a landing on some remote and defenceless part of the south-western coast of the British islands. Hoche himself had undertaken the command of the force destined for the invasion of Ireland; but for this desperate service he was content to detach a small body of twelve or fourteen hundred men, composed of convicts, and volunteers from the military prisons of Brittany and La Vendée. This marauding band was sent forth under the orders of one Tate, an Irish adventurer, who held the rank of colonel in the French army. Tate's instructions were to enter the Bristol Channel, and to land his troops on the right bank of the river Avon, within five miles of Bristol. He was then to advance rapidly at night; to fire the city, the docks and the shipping on the windward side. This being done, he was to scatter his force in predatory detachments, so as to spread confusion and dismay through the surrounding country. The main object was to effect a diversion which should aid the grand expedition intended for the regular invasion of the island. This daring scheme might have been attended with a momentary success. It was not improbable that three or four ships should elude the vigilance of the channel cruisers; and the landing once effected, the march to Bristol, and the destruction of property, might easily have been accomplished.

But here the success of the expedition must have ended. The handful of invaders, whether they held together, or dispersed in detachments, must have fallen an easy prey to the local force which would have been assembled in a few hours, unless the whole populace had risen in their favour. But this daring enterprise was not attempted. Instead of obeying his orders by sailing up the Severn, Tate did not even venture to enter the Bristol Channel. On the 22nd of February, the little squadron, consisting of two frigates, a corvette and a lugger, anchored in a roadstead off the iron bound coast on the northern extremity of Pembrokeshire; and in the course of the afternoon the French legion disembarked in perfect order at a desolate place called Cerrig Gwasted point, about three miles from the town of Fishguard. They brought with them a large quantity of ammunition and small arms, but no artillery. One of the boats, which sunk in the surf, was supposed to have contained some field pieces. The troops, as they landed, dispersed over the country, plundering the cottages and farm houses, but seldom doing wanton damage to person or property. On the following morning the whole force, with the exception of a few stragglers, was drawn up on a high hill; and shortly afterwards the French frigates, on a signal from Tate, weighed anchor, and sailed away. The troops, indignant and alarmed at this unexpected desertion, became mutinous; and it was evident to the commander

Ch. 37. — 1796

that no reliance could be placed on their stability. Meanwhile the surrounding country was in motion. Lord Cawdor, who resided about thirty miles from Fishguard, having heard of the landing of the French on Wednesday night, had hurried to Lord Milford, the lieutenant of the county. But Lord Milford, being aged and infirm, delegated his authority to Lord Cawdor; and this nobleman, though only a captain of yeomanry, by his vigour and conduct, gathered around him in a few hours all the available strength of the immediate neighbourhood. During Thursday a force of six hundred and sixty men, consisting of the Fishguard volunteers, one hundred and twenty of the Cardigan militia, and his own troop of yeomanry, were mustered under Lord Cawdor's command. None of these men had ever seen a shot fired, but on parade; yet Lord Cawdor hesitated not a moment to lead them against the enemy, and they were equally willing to follow their able and gallant leader. A crowd of country people armed with scythes and other rude weapons were disposed, in such order as was practicable, in the rear of this little army. The French force, comprising many good soldiers, the flower of the army of La Vendée, and numerically superior to the raw levies of the Welsh captain of yeomanry, was drawn up in a position almost impregnable. Nevertheless, the French general, on the appearance of the English troops, offered to surrender upon terms. But he was peremptorily required to surrender at discre-

tion; and in obedience to this summons early the next morning, the Frenchman laid down his arms. Such was the inglorious and somewhat ridiculous close of an invasion which lasted little more than twenty-four hours. Had Tate risked an action, it is hardly possible that the handful of militia opposed to him could have maintained their ground. But the alarm had spread; regular troops would soon have assembled in overwhelming numbers, and the small body of foreigners must, in their turn, have yielded to superior numbers, and to discipline equal to their own. According to his own statement to Lord Cawdor, Tate was determined to surrender by various reasons. He was disappointed at the want of co-operation from the country people which he had been led to expect, from the representations made to the Directory by Price of Bristol, and other persons among the dissenting interest, of the disaffected state of the population in the west of England: he was harassed by the jealousy and intrigues of Le Brun, his second in command; and by the mutinous state of his troops, already demoralized by plunder, and enraged at the desertion of the ships. These were the reasons which the French brigadier assigned for declining a conflict which, whatever might have been its immediate result, could only have caused a useless effusion of blood. Another reason has been mentioned for the hasty capitulation of the French. It is said they were frightened by an army of

Ch. 37. 1796

Welsh women in red cloaks and round hats, whom they mistook for soldiers; a tale which would have been unworthy of notice, had it not passed into popular belief. It is possible that among the crowd of peasantry which assembled in the rear of Lord Cawdor's column, the country women in their national costume might have gathered on the distant heights; but the soldiers of Hoche, and the brave Bretons who had fought at Quiberon and followed Charette, were not so easily alarmed; even if such an absurd mistake could for a moment have been made, a field-glass would at once have betrayed the real character of Lord Cawdor's imaginary reserve. To complete the failure of this expedition, the frigates which conveyed it to the Welsh coast were captured on their return to Brest.[f]

A few days before Tate and his little band of adventurers sailed from Brest, the great Spanish

[f] A letter appeared in the *Times* newspaper of 19 December, 1859, signed Edward Tate, and dated from Leicester Square, professing to vindicate the memory of the writer's relative from imputation on account of this prompt surrender. The letter was fictitious; it was from the pen of a distinguished correspondent of the journal. In addition to the ordinary sources of information, I have, by the kindness of the Hon. George Denman, been enabled to refer to an authentic account of this transaction, in the 'Journal of a Nobleman,' privately printed by Mr. Brettel, of Rupert Street. The journalist was the late Duke of Rutland, who derived his information from Lord Cawdor, when on a visit at Stackpole Court, shortly after the invasion. The present Earl Cawdor has also kindly furnished me with some facts, and referred me to a letter which the late Earl addressed to the *Times* in December, 1859.

fleet of twenty-seven sail of the line and ten frigates, under Don Joseph de Cordova, put to sea. The 'Santissima Trinidada,' mounting four decks and one hundred and thirty-six guns, the largest ship of war that had ever been built, and six other ships of the first rate, formed part of this mighty armada. When the Spaniard sailed from the port of Carthagena, a British squadron of nine sail, under Sir John Jervis, was cruising in the Mediterranean. But before he came in sight of the enemy, Jervis was reinforced by five sail of the line under Parker, and what was of hardly less importance, was joined by Commodore Nelson, with his ship, bringing exact information as to the strength and position of the enemy. The object of the Spaniard was to effect a junction with the French and Dutch fleets at Brest and the Texel, in which event the British Channel, would have been swept by seventy sail of the line. To intercept this formidable movement was a service of such urgent importance, that notwithstanding the enemy outnumbered him by twelve ships and twelve hundred guns, Jervis, with Nelson at his side, determined to fight. Accordingly, during the night of the 13th of February, the British fleet was prepared for action, and at daybreak the next morning, the long line of the Spanish fleet was seen off Cape St. Vincent. Before they could form in close order, Jervis bore down upon them, and by a feat of consummate seamanship, succeeded in separating one-third of the Spanish ships, and

Ch. 37. — 1796

excluding them from any share in the action which ensued. The conflict raged from half-past eleven o'clock in the forenoon until five in the afternoon, when four of the Spanish ships struck; but the nine ships, which had been cut off in the morning, having by this time, regained the line, Cordova was in a condition to continue or resume the engagement had he thought fit. But the Spanish commander, unwilling to risk farther loss, retired into the port of Cadiz.

Loss of the English.

The English loss was three hundred; that of the Spanish six hundred and three. Nelson bore the most conspicuous part in this brilliant affair. At one time, his ship, the Captain, a seventy-four, was engaged with the Santissima Trinidada, and five other ships of the line. Trowbridge, Collingwood, and Frederick, gallantly supported him; but the Captain was battered to a wreck. Nelson finished the day by boarding the San Josef, of one hundred and twelve guns, and receiving the sword of the captain on his own quarter-deck.

Peerage and pension of Jervis.

This exploit, so honourable to British seamanship and valour, was welcomed with the pride and exultation which England never fails to bestow on the achievements of her favourite service. Admiral Jervis was raised to the Peerage, with the rank of Earl, and the proud title of St. Vincent. A pension of three thousand pounds a-year was also conferred upon him. Nelson was rewarded with the Order of the Bath. The thanks of both

Houses; and of the principal cities in the kingdom, were given to Earl St. Vincent, and the fleet under his command. A liberal provision was also made, by subscription, for the widows and orphans of the brave seamen who fell in the performance of their duty. Ch. 37. 1796

Hardly had the rejoicing for the victory of St. Vincent begun to subside, when the country was imperilled by an event far more alarming than any danger which was to be apprehended from the foreign enemy, or from domestic treason. Early in March, Lord Howe, who commanded the Channel Fleet, received several anonymous communications, drawn up in the form of petitions, praying for redress of grievances, and purporting to be dictated by the seamen of the fleet. These papers, being all couched in the same terms, the Board of Admiralty agreed with Lord Howe, and the principal officers of the fleet, that they were the work of some mischievous individual, and unworthy of notice. But it soon transpired, that a conspiracy had been formed among the crews at Spithead, to place the officers under restraint, and to take possession of the ships. No sooner was the intelligence communicated to the Admiralty than an order was sent, by telegraph, to put to sea. Accordingly, Lord Bridport, who commanded in the absence of Earl Howe, made the signal to weigh anchor. This signal, it had been agreed, should be the signal for the commencement of the mutiny. Three cheers were given by the crew of Anonymous letters of complaint.

Ch. 37. — 1796

the 'Queen Charlotte,' the flag-ship, and instead of mustering at the capstan, they ran up the shrouds. Their example was instantly followed by every ship in the fleet, and not an anchor was lifted. The commands and remonstrances of the officers were wholly disregarded; all authority was at an end. The next day, delegates were appointed from every ship in the fleet. These men held their sittings in the cabin of the flag-ship; the obnoxious officers were sent on shore, and ropes were run out at the fore-yard-arm by way of intimidation. The first act of the delegates was to draw up a petition to the House of Commons. They desired the repeal of the Act of Charles the Second, which fixed their wages on a scale that had undergone a depreciation of thirty per cent. from the original standard. They complained that Lord Howe had disregarded their representations, and they pointed out some particulars wherein the army and militia seemed to have advantages in respect of pensions and allowances. This petition was signed by two men from each of the ships at Spithead. A petition, entering more fully into their grievances, was, at the same time, addressed, by the same parties, to the Board of Admiralty. In this paper, they demanded a re-adjustment of wages, in conformity with the present value of money; that their provisions should be of better quality and full weight; that they should be supplied with fresh bread and vegetables when in port; that the sick should be

better-cared for, and that the necessaries provided for them should not be misappropriated; that they should be allowed more liberty to go on shore; that when a man was disabled from duty by wounds received in action, his pay should not be stopped. And they concluded by limiting their grievances to these heads, that their countrymen might be convinced they asked nothing which might not be granted without detriment to the nation, or injury to the service.

Demands of the mutineers.

These demands must be considered, in the main, moderate and reasonable; and criminal as it was, according to constitutional doctrine, that men, with arms in their hands, should approach Parliament in the guise of petitioners, and that mutineers should dictate terms to their superiors; it was more discreditable for the Government to have suffered such grievances to exist than for the men to complain of their existence. In fact, the state of the navy had not been much improved since it was described, with such terrible humour, by Smollett, in the novel of Roderick Random.[6] Officers owed their promotion, in great measure, to family connections and parliamentary interest, and consequently, the service was infested with Whiffles and Oakums, who were either ignorant of their duty, or abused their power. The ships' companies were defrauded of their right, first by the contractors, and afterwards by the pursers,

[6] First published in 1748.

Ch. 37. — 1797

until gains, which began in peculation, were openly claimed and recognised as perquisites. An almost incredible example of this prescriptive robbery is to be found in one of the grievances enumerated by the sailors in their petition; the practice, namely, of abstracting about one-fourth of the rations to which they were legally entitled. The power which is necessarily entrusted to the superior officers of a man-of-war, after every possible limitation has been imposed upon it, is so extensive, that the comfort of a ship's company depends mainly on the good sense and moderation of the captain and his lieutenants. British seamen are remarkable for their discernment of the professional qualifications of their officers, and their implicit obedience and fidelity to the commanders who are worthy of their confidence and respect. The frequency of mutinous conduct may, therefore, be taken as a strong test of incapacity, or wanton tyranny, or vexatious discipline on the part of the officer. No less than seventy-nine cases of mutiny, and mutinous conduct had been tried by Court Martial within the year.[h]

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[h] BARROW's *Life of Earl Howe*, p. 321.

Lord Collingwood's opinion on the subject of the mutiny is, I believe, that of most officers of experience and good sense. When complaints were made of conduct which was designated as mutinous, Collingwood would exclaim, 'Mutiny, sir! mutiny in my ship! If it can have arrived at that, it must be my fault, and the fault of every one of the officers.'—*Memoirs and Correspondence of Lord Collingwood*, vol. i. p. 71.

Earl Spencer goes to Portsmouth.

The First Lord of the Admiralty, Earl Spencer, with two other members of the Board, hurried down to Portsmouth at the first intelligence of the mutiny. The demands of the delegates from the Queen Charlotte received, therefore, an immediate answer. An increase of wages, on the scale of four shillings, three shillings, and two shillings per month, to three classes of men respectively, was offered, and pay was no longer to be suspended during disability from wounds received in action; but the official reply was silent upon the other points mentioned in the memorial. The men refused to give way until their grievances were fully redressed, and an act of indemnity passed by parliament. After two more days had been wasted in attempting to bring them to terms, partly by concessions, and partly by threats, it was determined that three flag officers should be sent on board the Charlotte to confer with the mutineers. Accordingly, Admirals Gardner, Colpoys, and Pole, went alongside, and were received with the respect due to their rank. But the delegates, though respectful in their language and demeanour, were inflexible. Gardner lost his temper, and seizing one of the delegates by the collar, swore they should all be hanged, together with every fifth man in the fleet. This rash ebullition nearly produced disastrous consequences. The crew, enraged at the insult offered to their representative, rushed towards the quarter deck, and in the excitement of the moment, the choleric admiral hardly escaped with his life.

Ch. 37. 1797. The conference was abruptly broken off, and the delegates, returning to the Royal George in high indignation, reported what had occurred. The red flag was immediately displayed; and at the sight of this terrible emblem, Lord Bridport ordered his flag to be struck. The guns were then loaded; watches were set; in every ship the officers were detained prisoners on board; and some dreadful event was hourly expected. On the next day, however, the men repented of their violence, and addressed a dutiful letter both to the Board, and to their Admiral, Lord Bridport. These overtures led to a speedy settlement of the dispute. The demands of the delegates were granted in full; the Admiral's flag was again displayed, and the King's proclamation of a free pardon came down from London. The crews of all the ships at once returned to their duty.

Throughout these proceedings, the men, conscious of the justice of their cause, were careful that their conduct should be consistent with the moderation of their professions. They maintained an exact discipline in every ship; they punished drunkenness with flogging; and every other offence received its appropriate penalty. No man was allowed to quit his ship, nor was any letter permitted to be sent on shore. Every officer was superseded, but none, however odious, was treated with wanton insult. The frigates, with convoy, were allowed to sail, that no unnecessary injury might be inflicted on commerce.

Ch. 37. 1797

While the mouths of all men were full of thanksgiving for their happy deliverance from a new and fearful peril, it was announced that the mutiny had broken out afresh. The Admiralty, which by its negligence had been the cause of the first outbreak, was, by its folly, the cause of the second. To save their credit and authority, so grievously impaired by the late transactions, and not certainly with any sinister design, the Board thought fit, a few days after their unconditional submission to the seamen, to take a step well calculated to excite jealousy and resentment throughout the fleet. On the first of May, an order was issued from the Board at Whitehall, referring to the late disturbances, and enjoining upon the officers a strict attention to their own conduct, with the view to the maintenance of discipline and the prevention of discontent. So far this was well; but, in a succeeding paragraph, the captains were instructed 'to see that the arms and ammunition belonging to the marines be constantly kept fit for immediate service, as well in harbour as at sea; and that the captains and commanders be ready on the first appearance of mutiny, to use the most vigorous means to suppress it, and to bring the ringleaders to punishment.'

Mutiny at St. Helen's.

Fired with indignation at this threat of keeping them in awe under the bayonets of the marines, and believing that the order itself was significant of an intention to break faith with them, the crews of the ships at St. Helen's, to which the main body

Ch. 37. — 1797

of the fleet had been recently moved, again revolted against their officers, again appointed delegates, and despatched some of their number to claim the co-operation of the London and the Marlborough, which remained at Spithead. Admiral Colpoys, whose flag was flying in the London, in obedience to the recent order, summoned his officers, put the marines under arms, and refused to let the delegates come along side. The crew of the London, after some hesitation, came aft, and demanded that the delegates should be admitted. The officers ordered them to go below; but a few only obeyed, and one man proceeded to unlash a gun and point it towards the quarter deck. He was instantly shot dead by a lieutenant. This was the signal for a general insurrection. The men ran for their arms; the marines joined them; the officers were disarmed, and the lieutenant, who had performed his duty with such stern decision, was about to be hurried to the yard-arm, when the Admiral interposed, avowed the lieutenant's act, and declared that it was done in pursuance of the orders of the Lords Commissioners of the Admiralty. This saved the officer's life; but the triumph of the seamen was complete. The Marlborough quickly followed the example of the London, and both ships weighed anchor, and joined the rest of the fleet at St. Helen's.

Lord Howe, the Commander-in-Chief of the Channel fleet, oppressed by sickness and infirmity, had been detained at Bath during the disturbances

1797.

Lord Howe at Portsmouth.

at Spithead. But, in the present extremity, Howe was justly deemed the person of all others most fitted to bring back his mutinous fleet to a sense of their duty. Accordingly, the venerable admiral went down to Portsmouth, determined to visit every ship, and to ascertain, by personal communication with the seamen, what they wanted. Lord Howe was, in age, experience and reputation, the foremost officer in the service. A man of birth, a courtier, a diplomatist, and a person of high accomplishments, he nevertheless adapted himself to his profession, and at sea affected those blunt and careless manners which endear a commander to the common seamen. No officer in the service, therefore, had higher authority; and the mutineers, in the transport of their excitement and anger, which no Lord of the Admiralty could appease, at once gave utterance to expressions of joy and hope, when they heard that Black Dick, as they loved to call their renowned commander, was coming among them to listen to their complaints, and redress their wrongs. The conduct of Lord Howe on this trying occasion, was marked by judgment and temper. Knowing the strange mixture of suspicion[1] and generosity of which the character of the British sailor is compounded, he sought to allay the one, and to conciliate the

[1] He described the seamen as 'the most suspicious, but most generous minds he ever met with in the same class of men.'—BARROW'S *Life of Earl Howe*, p. 337.

Ch. 37. — 1797

other; at the same time that he maintained the dignity, and even under such anomalous circumstances, the authority of his station. He listened attentively while the men eagerly poured into his ear the story of their wrongs. Their specific grievances had been already redressed, but the officers by whose tyranny and petty oppression they had been so much harassed, were restored to power; and they now insisted on the removal of these obnoxious officers. Lord Howe saw that, to restore peace and confidence, it would be necessary to comply with this demand; but he veiled this dangerous concession so skilfully, that it assumed the form of a gracious indulgence, rather than a yielding to mutinous dictation. He told the men they had behaved very badly, that he wished to help them out of their difficulties, and to do all he could to satisfy their complaints. But he advised them, in the first place, to express contrition for their conduct, and to address a petition to himself, praying for his good offices, which he promised to employ. The men willingly came into this suggestion; and the Commander-in-Chief, on his quarter-deck, announced to the representatives of the different ships' companies that Parliament had passed an Act, confirming the promises of the Board of Admiralty, and securing to them permanently the advance of wages and the other benefits which they had sought. At the same time it was made known, that extensive changes were to be made in every grade of the officers of the fleet.

An admiral, four captains, twenty-nine lieutenants, seventeen mates, and twenty-five midshipmen, besides marine and petty officers, were dismissed. But while the men rigorously insisted on this proscription, it deserves to be mentioned, to their credit, that they desired no proceedings should be taken against the discharged officers, in respect of their alleged misconduct; and, in fact, the greater number of them were subsequently appointed to other ships.[k] An attempt to give a political character to the mutiny was likewise indignantly repelled; and some loose talk having been heard in one of the ships of giving her up to the French, she was threatened with destruction by the rest of the fleet, and a vigilant look-out was kept, to prevent the disaffected ship from holding any communication with the shore.

The measures proposed by the Government, in accordance with the engagements of the Admiralty to allay the discontents of the seamen, were readily agreed to by Parliament, and although the Opposition did not fail to find topics of censure, no man denied the existence of the grievances, or blamed the concessions which had been made.[l]

[k] BARROW'S *Life of Earl Howe*.

[l] To this, it appears, there was one characteristic exception. Some of the ministers (Windham, of course, being the foremost) consulted Burke, then within a few weeks of his death, as to the treatment of the mutiny. With the same want of judgment and temper, which generally marked his public counsels, the dying statesman strongly recommended the employment of repressive

Ch. 37. 1797

The second mutiny at Spithead led to an outbreak in the ships at the Nore. While Lord Howe was engaged in restoring order and discipline at Portsmouth, a disturbance of a very different character from that which had excited, if it did not strictly justify, the brave and honest seamen of the channel fleet in deviating for a time from their duty, broke out at the mouth of the Medway. The squadron at the Nore consisted of the Sandwich, a ninety-gun ship, the Montague, a seventy-four, and seventeen other ships of inferior rating. The Sandwich carried the admiral's flag; and in this ship the mutiny commenced, on the 11th of May. Many of the other ships, at the same time, rose and overpowered their officers. Delegates were appointed, after the example of the Portsmouth mutineers, and a man named Parker, a supernumerary seaman of the Sandwich, assumed the leading post. The delegates at first held their meetings at Sheerness, in open contempt of the authorities, both by sea and land, parading the town with music and banners; but they subsequently moved the ships to the Great Nore, to be out of the range of the land batteries.

Admiral's flag hauled down.

The next day, Admiral Buckner's flag was hauled down by the mutineers, and the red ensign was displayed in its place. They then put forward a

measures. Had his advice been taken, the most disastrous consequences must have ensued.—Lord Stanhope's *Life of Pitt*, vol. iii. p. 50.

manifesto or statement of their grievances, which they forwarded to the Admiralty. This paper contained demands subversive of all discipline, and calculated, according to the boast of the foreign emissaries and domestic traitors, who were anxiously watching their proceedings, to convert every man-of-war into a floating Republic. But even Republics have found that men-of-war cannot be governed on their own principles; and have ever enforced a discipline not less strict than that of despotic monarchies. Parker's demands insisted, among other things, upon a revision of the Articles of War, and indemnity to deserters—the disqualification of all officers who were not agreeable to the ship's companies—and an increase of prize money. It was well observed, that this document neither contained the sentiments, nor was expressed in the language, of seamen.

Reply of the Admiralty.

The Admiralty, in their reply, remonstrated with the men on the impracticability and impropriety of these demands, but offered a free pardon to all who should immediately return to their duty. Buckner undertook to carry this answer to the Sandwich. But the Admiral's reception was very different from that which Lord Bridport and Lord Howe had experienced from the Channel Fleet. He was allowed to go on board; but he was received with none of the honours due to his rank. The offers of the Admiralty were rejected; and the Admiral was informed by Parker, that the delegates would be content with nothing less than

Ch. 37. 1797

unconditional compliance with their demands, and the attendance of the Lords of the Admiralty at the Nore, to ratify the conditions. To shew their determination, the mutineers, on the following day, hauled down the Admiral's flag, and displayed the red ensign of rebellion in its place.

Earl Spencer at the Nore,

That no means of bringing back the men to obedience by persuasion might be left untried, Earl Spencer, the First Lord, accompanied by other members of the Board, went down to Sheerness, and had an interview with Parker and the delegates. Parker was the only spokesman on this occasion; and it was evidently his policy to prevent any accommodation between the authorities and the men. He conducted himself with great insolence, and ended by insulting the Commissioners in the grossest manner. The Board returned to London, and the delegates, throwing aside all shew of moderation, proceeded to the most violent extremities. They seized and plundered two storeships and a merchantman. They fired upon two frigates which would not join them; they blockaded the mouth of the Thames. All this they did with impunity; and their success induced other ships to join them; the Lancaster, a frigate, which lay in the river, and four ships belonging to Admiral Duncan's squadron.

Alarm at Sheerness.

The Mutiny at the Nore had now continued three weeks, and no attempt had as yet been made towards its suppression. The inhabitants of Sheerness, apprehensive of a bombardment,

abandoned the town in great numbers. Fears even were entertained for the safety of the metropolis.

Parliamentary denunciation of the mutineers.

At length, the Government determined to adopt vigorous measures. They had nothing to fear from any opposition in Parliament. At the first outbreak of the Mutiny at the Nore, party spirit subsided in the presence of a common danger; and Sheridan, the most uncompromising, if not the most factious opponent of the ministry and its measures, denounced the conduct of the mutineers as unseamanlike and un-English. He proposed, in the first place, a measure of conciliation; but, at the instance of Pitt, he postponed a proposal which might embarrass the action of the Government, and subsequently supported the Government in the assertion of their authority. On the first of June, a message from the Crown was brought down to Parliament, recommending a more effectual provision for the prevention and punishment of sedition and mutiny in the naval service. Bills were immediately introduced to attach the highest penalties of a misdemeanour to the seduction of soldiers and sailors from their duty; and to make it felony to hold intercourse with ships which were declared, by proclamation, to be in a state of mutiny. These Bills were suffered to proceed without comment from the leading members of the Opposition, and within a week, they received the Royal assent. On the following day, proclamations were issued in accordance with these

Ch. 37. — 1797

Acts. Admiral Buckner, was alone empowered to hold communications with the mutineers, and only for the purpose of receiving their submission. Adequate measures were also taken to suppress the insurrection. Ships were put in commission; gun-boats were despatched; the buoys at the entrance of the river were taken up, and batteries were erected on the shore to command the rebel fleet. The mutineers had already begun to feel alarm. While the coercion bills were passing through Parliament, the Earl of Northesk, captain of the Monmouth, who had been detained a close prisoner, in his cabin, since the commencement of the mutiny, was taken on board the Sandwich, and was charged, by Parker, with a letter to the King, containing terms which they affected to offer as their ultimatum. One of these terms was new, the most impudent and absurd that had yet been propounded. No punishment was to be inflicted without the sanction of a jury of the ship's company! Lord Northesk was enjoined to bring back an answer within fifty-four hours. He told them his errand was not very hopeful; but he executed his commission with fidelity. The letter of the delegates was laid before his Majesty, and an official answer was returned that nothing short of unconditional submission would be accepted.

Cut off from all intercourse with the shore, already suffering many privations, and seeing formidable preparations to reduce them by force,

the only hope of the mutineers was in the support and co-operation of other ships at the home station. But instead of encouragement, they received addresses from the crews of the ships at Portsmouth and Plymouth, desiring them to return to their duty, and reprobating their conduct as a 'scandal to the name of British seamen.' It became known, also, that a resolution had been adopted, that no man engaged in the mutiny should be employed in the merchant service; and they found no sympathy in any class of their countrymen. But when the recent Acts of Parliament, and the King's proclamation, which the leaders of the mutiny in vain endeavoured to suppress, were promulgated through the ships, the men who had been coerced into the mutiny, or who had reluctantly joined it, loudly declared for immediate submission. Five of the ships slipped their cables, and deserted the piratical squadron. The Repulse, and the Leopard, followed the lead; but the former, a frigate of the first rate, having grounded, was exposed to the broadsides of the nearest ships for an hour and a half, before she could be got off. Three other ships made good their escape to the Medway in the night. The remainder of the insurgents then separated into two divisions; the one professing to hold out to the last; the other willing to surrender upon terms. Flags of truce were sent on shore; but the Government being advised that the mutiny was breaking up, remained inflexible. The men, there-

Ch. 37. — 1797

fore, determined to give way. Their first act of repentance was to remove the blockade from the mouth of the Thames. The revolted ships dropped off one by one; and on the 15th of May, after the mutiny had lasted five weeks, the Sandwich, herself slowly left her moorings, and anchored under the battery of Sheerness.

Execution of Parker.

Parker, the ringleader, was taken into custody the same day. In a few days, he was tried by Court Martial, and his guilt being established, he was condemned to death; and the sentence was executed at the yard-arm of the Sandwich. Parker was a man of decent parentage, and good education. He had been bred to the naval profession, and, at the close of the American war, was an acting lieutenant in a man of war. Having come into some property, he retired from the service, and married a Scotch girl, with whom he is said to have received a portion. He appears, however, to have dissipated his fortune; and, to avoid a prison, he entered himself as a common seaman on board a tender in Leith Roads. From thence he was transferred to the flag-ship at Sheerness. He was a bold, unprincipled adventurer, full of arrogance and conceit; but well fitted by education and address to exercise a dangerous influence over ignorant and discontented men. He styled himself, and was addressed by the crews as, Admiral Parker. He fell short, however, of those high qualities which enable a man, without the advantage of position, or early

training, to maintain authority and command. The possession of power disturbed the balance of his mind; and instead of the skilful leader of rebels, of whom he appears to be the comrade, while he is really their dictator, this man vaunted himself like any vulgar tyrant, who claims a legitimate right to the abuse of power. Parker affected to establish a discipline, not less severe than that which was hardly submitted to without murmuring when practised by an officer with a regular commission. His only notion of rule was force and terror. If a ship was suspected of disaffection to the cause, she was kept within range of the guns of the Sandwich, or one of her consorts. If she attempted to return to her duty, she was fired into. On his trial, this man, who had behaved with such insolence and defiance to his superiors, endeavoured to set up a character for moderation; attempted to shift the blame of commencing the mutiny to a ship in which he had no control, insinuated that he had acted under duress, and finally asserted that it was owing to his influence, the fleet was not carried into the enemy's port. He was persuaded that by this line of defence he should save his life. But the proof was too strong for such pretences; and the only effect of putting them forward, was to deprive his well-merited fate of that commiseration which it would otherwise have received from his generous, though misguided, followers. Parker was thirty years of age when he suffered. Not more than four

Ch. 37. — 1797

or five persons were capitally punished. Sentences of more or less severity were passed on other ring-leaders; but the punishments were not numerous.

The disturbances in the fleet were not confined to the Channel and the mouth of the Thames. A bad spirit pervaded the whole service. We have seen that Admiral Duncan was deserted by a portion of his fleet; he was, in fact, left with only two ships to blockade the Texel. The promptitude and wise severity of Lord St. Vincent suppressed the first rising of a dangerous revolt in the squadron off Cadiz. At the Cape of Good Hope, it was necessary to point the guns of the batteries at Simon's Town, and to prepare red hot shot for the destruction of his Majesty's ships in open mutiny. In another sea, the crew of the Hermione rose, put the captain and his officers to death, and took the frigate into a Spanish port.

Ill-usage of the seamen, common.

Convulsions like these happening almost simultaneously, proved the existence of evils which demanded searching enquiry. The more palpable grievances of the service had been hastily redressed under dangerous and disgraceful pressure. But there remained behind deep-seated and wide-spread mischief which could not be so readily removed. The decks of a man of war do not admit of luxury; nor does a seaman require to be pampered. But rough as he is, he knows and feels the difference between a well and an ill-regulated ship. He does not expect to have his faults overlooked; but he knows the difference between a good and a bad officer.

Generally, the health and comfort of the crew were but little regarded. The ventilation of a ship was unfit for the necessities of animal life; the food was frequently bad; the sick were often cruelly neglected. But more harassing and demoralizing even than these hardships, was the conduct of the officers, among whom it was a too prevalent notion, that to keep the men up to their duty, and make them smart, it was necessary to be continually cursing them, never to address them without an oath, to call them foul names, and never to let them be at rest. The lesson which these great mutinies taught was not forgotten. The Admiralty became more circumspect in their appointments. A lad, who was fit for nothing else, was no longer considered eligible for the navy. It ceased to be considered a sufficient qualification for the command of a ship, that the candidate was recommended by the proprietor of a borough, or a woman of fashion. Midshipmen were admonished, that it would be as well to treat bearded men something better than dogs; and captains and first lieutenants began to doubt, that the service would go to perdition if experienced hands were not constantly turned up for exercise and drill. Even contractors for beef and rum were taught to think, that some little attention ought to be paid to the quality of the commodities which they supplied; and ship's pursers obtained an inkling that there was a limit to peculation. A more wholesome spirit was diffused throughout the

Ch. 37. 1797

service. A reform commenced in every department. Improvement, though slow, has ever since been progressive; and yet there is still room for an advance. As a proof how little the people of this country are acquainted with the interior economy of their favourite service, it is worthy of remark, that the two practices which had been always the topic of popular declamation as the two crying grievances of the sea-faring race, namely,—impressment and flogging—were never named in any of the ships during this year of mutiny.

Increase of the National Debt.

The failure of the negotiations at Paris rendered it necessary to open a second budget for the service of the year. The country had now entered on the fifth year of a war, which had already added one hundred and thirty-five millions to the permanent debt, without having accomplished any of the objects for which it had been undertaken. We began with Austria, Prussia, Spain, and Holland as allies. Prussia had withdrawn into a dubious neutrality. Spain and Holland were firm on the side of the enemy. Austria had already lost her Flemish and Italian provinces; and to succour this, our last remaining ally, the financial arrangements of the Chancellor of the Exchequer included a loan of three millions and a half. But at the very moment when this further advance was proposed by the weary and despondent minister to a reluctant House of Commons, Austria had made her peace with the triumphant republic. The supplementary budget was introduced on the

twenty-sixth of April. In the previous week, the Emperor had signed the preliminaries of Leoben, by which Savoy and the Netherlands were ceded to France, and Lombardy was to form the centre of a cluster of States to be called the Cisalpine Republic.

Supplementary Loan

The supplementary loan was eighteen millions, which was afterwards reduced by the amount of the subsidy destined for the Emperor. Pitt announced, that he had been forced to borrow this money on hard terms; the bonus and interest being nearly eight and a-half per cent. It was not disputed that the loan was necessary, nor was it suggested from any quarter that the money could have been procured at an easier rate; but the house was very uneasy at the vast and increasing expenditure. Nor were the country gentlemen indifferent to the significant remark of Mr. Fox, that the public debt would soon be equal to the whole rental of the country. They found a fitting occasion for wreaking their ill-humour on the occasion of a strange proposition which the Minister, at the instigation of the moneyed interest, was induced reluctantly to make. The loan of eighteen millions, raised by open subscription before Christmas, had been vaunted as the 'Loyalty Loan,' although it is certain that every subscriber, in addition to his patriotic motive, was actuated by a strong opinion that he was making a good investment of his money. But the scarcity of specie which ensued, and the announcement of a new loan, had so depreciated the 'loyalty' stock, that a demand was raised for indemnity to those public

Ch. 37 — 1797

spirited persons who, according to their own account, had come forward with no other intent than to relieve the exigencies of the state. Pitt had so far committed himself to the cant which had designated this speculation as a pure ebullition of public spirit, that he was unable to resist the importunity of the subscribers, or rather of the combination of bankers, into whose hands many of these securities had passed. The indemnity claimed was fifteen shillings per cent. Long Annuity; but the Minister dared not undertake to propose more than half that amount. And even this proposal he did not attempt to found on any legal or equitable claim, but simply on an appeal to the generosity of the House. The House, however, was not in an indulgent mood. The motion was received with anger and derision from all sides. Mr. Dent, a subscriber to the loan, was the first to rise and disclaim all participation in this impudent and hypocritical pretence. He said that the claimants were merely speculators, who ought to abide by their bargain; and he asked if the balance had been on the other side, whether the public would have received, or would have expected to receive the difference? There was no answer to this argument; and Pitt saw his supporters, in great numbers, quit their seats, and walk out of the House. A small majority of the committee affirmed the resolution; but, on the report, it was carried by a majority of one in a bare house. Nothing more, of course, was heard of this unprecedented and discreditable proposal.

Motions for peace and for the removal of the Ministers, as the great obstacle to the conclusion of peace, were made in both Houses. But if the Opposition really shared in the belief which prevailed amoung the partisans of the French revolution, both at home and abroad, that the war had been caused by Pitt, and was continued by his influence, they were wholly mistaken. It is no longer questioned, that he found himself forced into war, contrary to his expectations and his wishes. It is true, that the same want of sagacity which led him to the belief, that the distraction of their domestic affairs, would render the French incapable of carrying on foreign war, likewise persuaded him that the exhaustion of their resources must certainly, within a limited period, bring the war to a successful termination. But the latter delusion was now dissipated like the former; and so great was Pitt's desire for peace, that in availing himself of the opportunity for renewing the proposal to treat, which the treaty with the Emperor seemed to afford, he declared, with questionable prudence, that no punctilio or formal difficulty should be suffered to prevent or interrupt the negotiations. The Emperor having given up the point upon which the British Government had felt bound in honour to insist in the recent treaty at Paris—the restoration of the Austrian Netherlands—the main obstacle to an arrangement seemed to have been removed. There was, however, a strong difference of opinion in the Cabinet, as to the expediency of renewing an attempt which had ended

Motions for a change of Ministry.

Ch. 37. — 1797

a few months before in ignominious failure. Lord Grenville and Mr. Windham were decidedly averse to making an overture which they believed would only result in subjecting the King's Government to further humiliation. But Pitt was resolved; and it became Grenville's duty, as Secretary of State, to make the proposal to the French Minister. Delacroix, on the part of the Directory, professed the utmost alacrity to treat; and Lisle was fixed upon as a convenient place for the negotiation. But, with this preliminary interchange of notes, the amity of the correspondence ceased. When it was announced that Lord Malmesbury would be again accredited, Delacroix rüdely replied, that another choice would have been more acceptable; and desired that the frequent communication, by courier, between the plenipotentiary and his Court, which he said had prevented the recent negotiations from coming to a successful issue, should not be repeated. This impertinence, Grenville retorted, by an intimation that the remark upon the appointment of Lord Malmesbury was unworthy of notice; that the plenipotentiary would despatch as many couriers as he thought proper; and that the motives and circumstances which led to the rupture of the late negotiations being known to all Europe, it would not be conducive to a discussion with a pacific object, that the recollection of these circumstances should be revived.

French commissioners

The Directory deputed three persons of note to conduct the negotiations at Lisle. At the head of

the commission was Letourneur, sometime a member of the Directory himself, Admiral Pleville le Pelley and Maret, already well known in the diplomacy of the Revolution.

Divisions amongst the French.

The Commissioners were civil; but it was manifest, from their instructions, that the rulers of France were prompted by a spirit very different from that which urged the advances of the British Government. The people of France were divided on the question of continuing the war. Those who inclined to peace from a desire of repose, of relief from the burden of taxation, and from republican jealousy of military influence, formed a numerous body. On the other hand, the ambitious few and the restless multitude, the children of the revolution, who were unable or unwilling to adopt the habits of peace and order, were eager for a continuance of the war. These parties were severally represented in the Directory; and, at this moment, a struggle for the ascendancy was going on between the five potentates at the Tuileries.

The British plenipotentiary proposed, as a formal preliminary, to negotiate on the basis of former treaties. He offered to restore all the territory taken from the French during the war; retaining as conquests the island of Trinidad and the Cape of Good Hope, the former possessions of Spain and Holland respectively. The French Ministers declared themselves incompetent to discuss these propositions, simple and obvious as they were, without instructions from Paris; and, in the

Ch. 37. — 1797

meantime, they brought forward for discussion three points, the adjustment of which they stated to be an essential preliminary to further negotiations. These points were, first, the renunciation of the title of King of France, which had for centuries formed part of the style of the Crown of Great Britain; secondly, a restitution of the ships taken at Toulon, or an equivalent for them; thirdly, a discharge of any claim or mortgage upon the territory of the Netherlands, which the British Government might retain as a security for loans made to the Emperor. These strange propositions, seem to have been advanced for the purpose of evading the real points in dispute, and were so considered by Lord Malmesbury. In vain, therefore, did he urge, with regard to the first point, that a similar objection, when mentioned, had been disposed of by a saving clause in every former treaty of peace between the two countries; that the second demand was so arrogant and unreasonable, that, if insisted on, in must interpose a serious obstacle to the progress of negotiation; and that the question involved in the proposition lastly stated, was one which properly formed part of the treaty between the Emperor and the French Republic. The Commissioners only replied, that their instructions were positive. But as these points, which the French Commissioners themselves described as insulated, were not tendered, and could not be received by way of answer to the proposals which had been formally communicated

by Malmesbury to the French Government, it was necessary that those proposals should receive an official reply. In a few days, the answer of the Directory arrived. It resembled in character, though it differed in terms from the reply which had put an end to the former negotiation. In October, the French Government had declared themselves precluded from entertaining a treaty on the basis of mutual concession, because their municipal law did not admit of the cession of any territory which had been annexed to the Republic. In July they pretended, that they could not be party to the surrender of Trinidad and the Cape, because they were bound by their separate treaties with Spain and Holland to maintain the respective territories of those Allies. The impudence and hypocrisy of this pretext were so transparent, that Malmesbury and Grenville at once agreed that it was futile to carry the negotiation any further. The French Government had undertaken to treat with Great Britain on behalf of their Allies, Spain and Holland, as well as on their own; and now they set up, as a bar to the treaty, their separate and secret engagements with those powers. The notoriety of the fact, that Spain and Holland had been coerced into the war, and that they would be thankful to be relieved from it on any terms, gave a cruel zest to the mockery which put forth the pretensions of these helpless dependencies as obstacles to the treaty.

The Secretary of State would at once have

Ch. 37. — 1797

terminated a negotiation so unpromising, but the first Minister was unwilling to withdraw while a hope remained. Some expressions which fell from the French Commissioners, in conversation with Lord Malmesbury, seemed to mitigate the rigour of their formal instructions; and, accordingly, Malmesbury was directed to answer the French note, and to require the statement of a counter-proposal on the part of France. The Commissioners admitted that this demand was reasonable; but the British Minister expected in vain any proposition from Paris. At length, after several weeks had been passed in communications between the plenipotentiaries, which did not advance the negotiation a single step, the contest between the rival parties at Paris was terminated by the act of violence known by the name of the revolution of the eighteenth Fructidor. The war party having obtained the mastery by the simple expedient of turning the peace-party out of the executive and out of the legislature, their first measure was to put an end to the conference at Lisle. The Commissioners, who had shown a disposition to promote the ostensible object of their mission, were recalled, and two persons of very different character were accredited in their places. These men informed Lord Malmesbury, that their instructions were to demand the restitution of all conquests made by England from the Republic and its allies during the war; and to require a positive and immediate answer to this preliminary. The British

Plenipotentiary replied by referring to his former communications, which laid down the principle of compensation as the basis on which alone he was empowered to treat. The French Envoys thereupon announced the pleasure of the Directory, that his lordship should return to his court within twenty-four hours, in order to obtain fresh powers. Malmesbury, of course, immediately left France; while the Commissioners, either from wanton insolence, or under a flimsy pretence of moderation, remained at Lisle, affecting to await the return of the British embassy.[m]

[m] It appears that Barras made an overture through an agent whom Pitt considered credible, to bargain a peace on the terms proposed by the British Government, with the addition of Ceylon, in consideration of a payment of two millions sterling to himself and his friends in the Directory. Pitt obtained the consent of the King and the members of the Cabinet, to entertain this proposal, abating the demand to four hundred and fifty thousand pounds. Whether this or any other sum was actually offered, does not appear; for the matter dropped.—Earl STANHOPE's *Life of Pitt*, vol. iii. p. 61, and Appendix vii. When he came to reflect upon it, Pitt could hardly have failed to see that nothing but disgrace and ridicule could result from such a scandalous traffic. It is difficult also to see how he could have obtained the money. The secret service fund was wholly inadequate to meet such a demand; and it would have been impossible to lay an estimate before Parliament. The very fact, however, that Pitt did not immediately reject such an overture, is a proof that, so far from pursuing the war policy, which vulgar opinion has attributed to him, he was for peace at any price.

A few days after Lord Malmesbury had left Lisle, three envoys arrived from America to settle difficulties which had arisen between the Government of the United States and the French Directory; for the Trans-Atlantic Republic had not less reason than the old European monarchies to complain of the overbearing

Ch. 37. — 1797

Shortly after the rupture of the negotiation at Lisle, the preliminaries of Leoben were carried into effect, by the treaty of Campo Formio. The terms imposed on Austria appeared, on the whole, moderate. In exchange for the Low Countries, of which she was not unwilling to be rid,[n] and for Lombardy, which she could not hold, Austria was to acquire Dalmatia, the city of Venice, the command of the Adriatic, and an important military line from the Adige to the Po; and as France was not yet ready or willing to absorb the rich Italian provinces, which had been wrested from the emperor, these territories were, for the present, consolidated under titular independence, with the

roposals to Austria.

insolence of the French Democracy. It was in vain that the American Minister attempted to open a regular negotiation; but after a time, these propositions were conveyed to them through a secret channel, as necessary preliminaries to a formal treaty. One of these propositions, which, we are told, was 'urged with scandalous pertinacity, was the gift of a large sum of money to the Members of the Directory.' The Government at Washington took a much more sensible and becoming view of a proposal of this nature than the Cabinet of St. James's. 'In no event,' they said, 'is a treaty to be purchased with money, by loan or otherwise. There can be no safety in a treaty so obtained. A douceur to the men now in power, might, by their successors, be urged as a reason for annulling the treaty, or as a precedent for further and repeated demands.'—TRESCOTT'S *Diplomatic History of the Administrations of Washington and Adams*, pp. 187-90. Boston, 1857.

[n] At the commencement of the war, the Imperial Government professed to exchange the Netherlands for Bavaria; but the English Court opposed the scheme.—Lord Grenville to Lord Auckland, 3rd April, 1793.—AUCKLAND *Correspondence*, vol. iii. In fact, it was more for the interest of England than of Austria, that the latter should retain the Belgic provinces.

title of the Cisalpine Republic. The Ionian Islands were appropriated by France. By secret articles, the Emperor engaged to use his influence with the Germanic body, to obtain their confirmation of the boundary of the Rhine, including the fortress of Mentz, which the Emperor, in respect of his hereditary dominions, ceded to France. It was not, however, without as much resistance as they ventured to offer, that the Austrian Government consented to terms, which circumscribed its dominions on so many points. They pressed hard for a Congress of the States, hoping to obtain better terms from the support of the Germanic body; but Bonaparte peremptorily insisted on having the essential articles determined between the principals, reserving for the consideration of a Congress those points only in which the members of the Germanic Empire had a common interest.

Ionian islands ceded to France.

The conferences at Lisle were followed by a succession of invectives, official and unofficial, by the French Directory, against the British nation and its Government. The series was terminated on the 5th of November, by a proclamation, circulated, through the whole of France, announcing a project of invasion and conquest of the British Isles. These rodomontades were intended to flatter the vanity of the army, to stimulate, among the people, the military spirit, which had begun to flag, and above all, to appease and divert the ambition of Bonaparte, whose towering abilities and reputation were more terrible

French invectives against the British.

Ch. 37. — 1797

to the rulers at Paris than the enmity and power of Great Britain. The conqueror of Italy himself had the sagacity to see that the Republic had more to fear from England than from all the other powers of Europe. It was true, that she had no great army; that her statesmen seemed incapable of forming any great military plan; and that her generals were incompetent to the petty services with which they were charged. But England maintained her supremacy upon the sea; and until her hardy and skilful seamen, with such leaders as St. Vincent, Nelson, and Duncan, could be matched, a second French conquest of England was hopeless, and the permanent aggrandisement of France impossible. Bonaparte was as loud as Barras and Reveillère Lepaux in his denunciation of the British Government; but, as a matter of business, he came to the conclusion, that the military resources of the Republic were not yet adequate to such an enterprise as the invasion and conquest of the British Isles.

Projects for invading England.

The project of getting possession of the Channel, by the junction of the Spanish and Dutch fleets, having been frustrated by the victory of St. Vincent, the invasion of England was, for the present, abandoned; but the minor plan of a descent upon Ireland, which had long been preparing, under the direction of Hoche, was still entertained. The Spanish fleet, at Cadiz, being closely blockaded, the Dutch ships in the Texel, were destined to effect a junction with

the French fleet at Brest, and to land fifteen thousand troops on the Irish coast. Admiral Duncan had been watching the Texel during the spring and the summer. When the Dutch had nearly completed their preparations for sea, four of Duncan's ships deserted to join the Mutiny at the Nore; and, at this critical period, the British Admiral had only two ships of the line under his command; but happily the mutineers returned to their duty before advantage could be taken of their misconduct. Storms and contrary winds detained the Dutch fleet in port throughout the summer; and Duncan's squadron had, by that time, received reinforcements, which gave it a slight superiority over that of the enemy. About the same period, it was found that the fifteen thousand French troops, which had been so long assembled for transport, had nearly consumed their provisions. The season was fast approaching, when the expedition would have to encounter the periodical perils of the seas, in addition to the terrors of the British seventy-fours. In these circumstances. the cautious Dutchman thought fit to inform his Irish friends, who had been eagerly watching every change of wind for the last two months, that the expedition to the Irish Channel, on the scale originally planned, must be abandoned. But the energy of Hoche was called in aid to animate the sluggish counsels of the Dutch Government; and after the termination of the conferences at Lisle, the Directory insisted on

Ch. 37. — 1797

some effort being made by the fleet of their reluctant ally. At this time, Duncan, having been eighteen weeks at sea, had withdrawn the greater part of his ships to Yarmouth Roads, to victual and refit. De Winter, availing himself of the opportunity, slowly moved from his anchorage, intending to sail for Brest, to effect a junction with the French fleet, and then to return to the Texel for his transports. Duncan, who had prompt information of De Winter's movements, came in sight within forty-eight hours after the Dutchman had put to sea. On the 11th of October, the English Admiral found the Dutch fleet off Camperdown, about nine miles from the land.

Equality of the forces.

The ships on either side were equal, being sixteen sail of the line; the English had a slight preponderance in tonnage, and were more numerously manned; but the difference was not appreciable between two fleets well matched as they were, in seamanship, skill, and valour. The prompt decision of Duncan, and the vigorous execution of his orders by his captains, soon determined the fortunes of the day. The Dutch fought with a courage and obstinacy which sustained their ancient reputation.[m] The rival flag-ships maintained a dreadful conflict for three hours, and it was not until his

[m] 'The appearance of the British ships at the close of the action was very unlike what it generally is when the French or Spaniards have been the opponents of the former. Not a single lower mast, not even a top-mast, was shot away. It was at the hulls that the Dutch had directed their shot.'—JAMES's *Naval History*, vol. ii. p. 103.

ship was disabled, and every officer on the quarter-deck, except himself, was either killed or wounded, that De Winter struck. His second in command, Keyntjies, in like manner, struck to Admiral Onslow, but not before he was mortally wounded. The Dutch captains, seeing their leaders vanquished, either surrendered or made their escape. Eight sail of the line, with three ships of inferior rate, were taken. The loss in killed and wounded, on the side of the English, was one thousand and forty; on that of the Dutch, one thousand one hundred and sixty. No naval action, during the war, was fought on more equal terms, or with greater obstinacy, than the Battle of Camperdown. This victory, following the victory of Cape St. Vincent, put an end, for the time, to all apprehension for the safety of the British Isles. Projects of invasion were, indeed, still vaunted; a flotilla of flat-bottomed transports was to be fitted out; a new loan was proposed to be secured on the future plunder of Great Britain; a decree was passed, declaring all ships, conveying British goods, to be lawful prize. Menaces of this kind sufficiently proved that the enterprise was no longer seriously entertained.

Factious conduct of the Opposition.

Parliament was called together for the autumnal session a few days after the announcement of the great victory at Camperdown, and its first business was to acknowledge the achievements of that noble service, upon which the glory, the prosperity, and the safety of the nation mainly depend.

Ch. 37. 1797

On such an occasion it behoved every man of mark to be in his place; yet the leaders of the opposition in both houses thought this a fitting occasion formally to withdraw from attendance in Parliament.

Unconstitutional conduct of the Whigs.

Such conduct was as unconstitutional as it was petulant and short-sighted. It is the duty of a Member of Parliament to attend the service of the House; and in the Commons, this duty is enforced. It was pretended by the principal men in opposition, or alleged on their behalf, that their continued attendance in Parliament was useless when their resistance to the arbitrary measures of the Minister was futile, and when their motives were maligned. But if these men had faith in their principles, and in the constitution, which an earlier generation of Whigs steadily maintained through not less evil times, they would not have taken a step which was calculated to direct the affections of the people towards another form of government. The session was attended by a demonstration which seemed, indeed, to imply, that Fox and his friends were prepared to recommend republican institutions, instead of the constitution of 1688. The principal members of the opposition assembled at a public dinner to celebrate the birth-day of their leader. The Duke of Norfolk took the chair, and in proposing the health of Mr. Fox, thought proper to remind the company that Washington had no greater number of followers than were assembled in that room

when he undertook the liberation of his country; and he desired them to make the application. This significant hint was received with great applause; and at a later period of the evening, his grace proposed for a toast, 'their Sovereign—the People,' which was drunk with acclamation. For this proceeding, the Duke of Norfolk was dismissed from the lieutenancy of the West Riding, and deprived of his regiment of militia.

Mr. Tierney.

In the absence of Fox, the forlorn band, which still remained on the opposition benches, was led by Mr. Tierney, a clever and accomplished barrister, who had recently entered Parliament. The first important measure of the Session, was a bill to continue the restriction on cash payments by the Bank of England for the duration of the war. Tierney, having somewhat presumptuously announced, that he had a general retainer to oppose the Government, commenced by attacking the bill; but, though his criticisms were marked by shrewdness, knowledge, and good sense, Pitt did not deign to answer him. The bill, recommended as it was by the report of a secret committee, was agreed to.

The Budget.

The financial plan for the year was brought forward before Christmas. It was remarkable for a bold attempt to push the principle of providing by taxation for the service of the year. Hitherto the expenses of the war had, for the most part, been defrayed by loans; and, in this manner, the permanent debt had been increased by upwards of

Ch. 37. — 1797

one hundred and thirty millions within the last four years. But as the prospect of an early termination of the war had vanished, Pitt determined to try the resources and public spirit of the country, by taxation equivalent to a large proportion of the estimated extraordinary expenditure. Twenty-five millions and a-half were required for the service of the year. Of this amount, nearly seven millions were met by ordinary revenue, leaving about nineteen millions to be provided for. The Chancellor of the Exchequer proposed to raise twelve millions by loan, and seven millions by trebling the assessed taxes.

The financial plan of the Government was recommended chiefly for the principle which it enunciated. A great and protracted war cannot be carried on without borrowing. There is a point beyond which taxation cannot be pushed without encroaching upon capital, and so diminishing the source from which enterprise and industry are fed. On the other hand, a nation is demoralized and discredited which shrinks from pressure, and lightly casts upon posterity burdens which the present generation should bear. A wise minister pursues the just medium between these extremes; and Pitt is entitled to the high praise which is due to such a policy. The particular measure of finance which he adopted is less to be commended. He framed a graduated scale by which the assessment was increased in proportion to the income of the person chargeable; a plan which has been

often reprobated as containing the principle of confiscation. The measure, though nominally an increase of the assessed taxes, was, in fact, a disguised income tax. An assessed tax is essentially self-imposed or self-adjusted. Every man can either decline the commodity taxed, or reduce the standard of taxation. But the Minister deprived the payer of this election; for he took the assessment of the preceding year as an arbitrary basis; and charged every person who had come under that assessment with an increase ascending from one-fourth to five times the amount. The sole merit of this plan was that it admitted of a tolerably accurate estimate of the sum which it would yield; and being propounded only as a temporary expedient, it was not perhaps fairly open to the criticism to which it would have been subjected had it been brought forward as part of the permanent system of finance.

Opposition to the Budget.

Nevertheless the plan was vehemently opposed. The attempt to conciliate the favour of the multitude by heaping the burden upon the rich, was not successful. The resolutions were, however, voted in the Committee of Ways and Means by a great majority.[n] In matters of finance this stage is practically considered as conclusive. When the resolutions of this committee are confirmed on the report the new duties are levied, or the repealed taxes are discontinued without waiting for the

[n] 214 to 15.

Ch. 37. — 1798

Act of Parliament which formally ratifies the resolution of the House. But when it became known that a larger sum than had ever been raised within the year was to be collected by increasing the taxes on houses, windows, and shops, as well as on carriages, horses, and servants, loud murmurs went forth from the principal cities and towns in the kingdom. The inhabitants of Westminster, always foremost in every political movement, called upon Fox to return to his place in Parliament, and denounce the odious impost. Sheridan also appeared in his place on the day appointed for the second reading of the bill. The leader of opposition attacked the scheme in unmeasured terms, and the minority increased from fifteen to fifty. Pitt became uneasy. He had treated with contemptuous indifference the well argued objections of Tierney, Hobhouse, and others, in the committee; but now he admitted, with unwonted candour and moderation, that many of the objections were well founded, and that, without extensive modifications, the measure would be oppressive to the industry of the country. Some modifications were accordingly introduced in the committee on the bill; but, so far from mitigating the opposition, the minority increased to seventy-five on the third reading. Pitt himself became, for the time, the most unpopular man in the kingdom. On the day set apart for a national thanksgiving on account of the naval victories, when the King and the two Houses of Parliament went in

procession to St. Paul's, the Prime Minister was forced to take refuge from the angry populace in Doctor's Commons, and was conducted home in the evening by a troop of City Light Horse. These demonstrations, however, were but temporary, and indicated no desire to shrink from the efforts which were necessary, for the honour and safety of the nation. A few months after Pitt had been hooted through the City, the commercial and trading classes which had complained of the burden of taxation, eagerly came forward, at a suggestion from one of the Minister's most devoted friends, and subscribed sums amounting to more than two millions in contributions varying from a guinea to thousands of pounds.° The immediate apprehension of invasion, and not any desire to prosecute the war, prompted this prodigious addition to a taxation hitherto unralleled.

Another proposal, which added much to Mr. Pitt's reputation as a financier, was his plan for

° The idea originated with the Speaker. The greater part of this noble free-will offering was contributed by the commercial and trading classes. The Bank headed the subscriptions with two hundred thousand pounds. Among other donations of equal amount Mr. Peel, (the father of the Minister), a calico printer at Bury, put down ten thousand pounds, as the subscription of his firm. When he told his senior partner, Mr. Yates, not without some misgiving, what he had done, the answer was, 'You might as well have made it twenty thousand, while you were about it.'—Lord STANHOPE'S *Life of Pitt*, vol. iii. p. 92. The munificence which characterises the merchants and manufacturers of this country has never been duly appreciated.

Ch. 37. — 1798

the redemption of the Land Tax. This ancient impost, which belonged to the primitive form of taxation, when land was the principal source of the public revenue, had varied for the last century from one shilling to four shillings in the pound. The tax had remained at the maximum during later years, and the Minister proposed to make it perpetual at this rate on the original valuation of 1693, giving the landowner the power of redemption at twenty years' purchase, payable in Three-per-cent stock. Taking the stock at the price of the day, which was about fifty, it followed that, by this arrangement, the public would benefit to the extent of one-fifth; and assuming the whole amount to be redeemed, the land-tax of two millions would be converted into revenue yielding two millions four hundred thousand pounds. The arrangement was not less beneficial to the landholders than to the public; for the value of land being about thirty years' purchase, it enabled them to redeem what was really a rent-charge, at little more than two-thirds of its value. The proprietors, indeed, raised a faint voice against the perpetuation of the tax at its maximum, as a measure of confiscation; but many availed themselves of terms so advantageous. The effect of the measure was to strengthen public credit, and inspire new confidence in the resources of the Minister.

Prospect of invasion.

The probability of invasion, in the spring of 1798, was considered so imminent, as to call for prompt and extraordinary preparations. A sup-

plementary budget was, therefore, opened in the month of April, in order to provide for the interest of eight and a quarter per cent., upon a new loan of three millions. Taxes on salt, on tea, and on armorial bearings, were accordingly proposed, and readily assented to. The modifications of his original scheme of trebling the assessed taxes, having reduced the minister's estimate from seven millions to four millions and a half, the deficiency was made up by other imposts; the most remarkable of which was a scale of export and import duties.

Defence of the country.

The demonstrations and menaces of the French Government rendered it necessary to make preparations for the defence of the country. An army had been organised, called the army of England, and distributed along the French coast, as if in readiness for embarkation. A flotilla of flat-bottomed boats was ostensibly announced as in preparation, to transport this army across the Channel. The bankers of Paris were assembled to subscribe to a loan, to be secured on English property, which was to become the prize of the invaders. Such gasconade did not indicate any serious intention to undertake an enterprise so desperate as an invasion of this island; but a contemptuous neglect of all preparation for defence, on the part of Great Britain, might have exposed the country to insult, and even temporary disaster. Accordingly, a Royal message to Parliament, immediately after Christmas, announced that orders

Ch. 37. — 1798

had been issued to call out and embody a portion of the militia.[p] A Bill was subsequently introduced, to indemnify persons whose property might be sacrificed in the event of an invasion. A Bill for manning the navy was passed through all its stages in one day. This extraordinary proceeding, though not without precedent, seemed to be an unnecessary departure from the practice of the House. Tierney, without objecting to the policy of the measure, questioned the necessity of pushing it forward with such irregular precipitation; and, considering that the object of the Bill was to extend the odious power of impressment, it was not unreasonable, in the absence of any immediate dread of invasion, to pause a little before enlarging a mode of manning the navy, which experience have shewn to be as bad as it is barbarous.[q] But Pitt, assuming the air of a dictator, would not brook any opposition, and charged Tierney with a desire to obstruct the defence of the country. Tierney, instead of flinging back this wanton insult, more properly appealed to the Chair for protection. The Speaker, instead of vindicating the freedom of debate, by instantly calling upon

[p] In 1779.

[q] Lord Clarence Paget, the Secretary of the Admiralty, in opening the Navy Estimates of 1859, stated, on the authority of an Admiralty return, that, in the last three years of the impressment system (which ended in 1813), three thousand able-bodied seamen were constantly employed on shore to press twenty-nine thousand six-hundred and five, of whom twenty-seven thousand three hundred deserted.—HANSARD'S *Debates*, 154, p. 909.

Pitt to retract an imputation, which, whether just or unjust, was a clear breach of plain parliamentary law, made an evasive response, conveying a timid suggestion to the overbearing minister, that he should explain away the language he had used. Pitt said something which was accepted as an explanation; but reference having been afterwards made, in the course of the debate, to this supposed explanation, Pitt denied that he had given any explanation at all. 'I gave no explanation,' he said, 'because I wished to abide by the words I had used.'[r] The Speaker remained silent; and thus the dignity and the privilege of the House of Commons were laid prostrate at the feet of one too arrogant member. Tierney, failing to obtain from the House the redress to which he was entitled, had recourse to the alternative which the manners of the time approved. A meeting took place between the Prime Minister and the political opponent whom he had wantonly insulted. The parties exchanged shots, happily without effect, and the seconds declared the law of honour to be satisfied.

State prosecutions.

The Government persevered with varying fortune, in the policy of putting down freedom of opinion in the press and on the platform by the extreme rigour of the law. Numerous minor prosecutions followed the great trials of 1794-5. The trial of Stone for high treason, in 1796, resulted

[r] Dean Pellew's *Life of Lord Sidmouth*, vol. i. p. 200.

Ch. 37. — 1798

in an acquittal. One Crossfield, a surgeon in the navy, and three other persons, were arraigned in the same year on a charge of a conspiracy to take away the King's life by means of a poisoned arrow blown through a tube. This was much ridiculed at the time under the name of the 'Pop-Gun Plot;' and it turned out to be little more than an idle story. Crossfield was acquitted, and the other prisoners were consequently discharged. Gale Jones, a well known and active agent of the Corresponding Society, was prosecuted to conviction for a seditious speech at Birmingham. O'Coigley, an Irish priest, with Arthur O'Connor, an Irishman of good family and fortune, who was on terms of friendship with many of the leaders of opposition, both in England and Ireland, together with three other persons of less note, were tried by a special commission for a treasonable correspondence with the French Government. The case against O'Coigley being clearly established, he was convicted and hanged. O'Connor, the principal culprit, escaped through the failure of evidence. The inferior agents of this treasonable plot, which was planned in convention with the Irish rebellion in the year 1798, were acquitted.

It appears, that about this time, the Government, which had been hitherto content with small prey, entertained the idea of prosecuting the chiefs of the opposition. When a king's lieutenant so far forgot himself as to propose for a toast 'Our Sovereign—the majesty of the people,' accom-

panied with language and allusions which could not be mistaken, the Government had no alternative but to dismiss him from his office. Nor could a Privy Councillor have much reason to complain of being dismissed from the Council Chamber of the Crown for a similar offence. But the Court party were not satisfied with this reparation; and the Government was urged to take further proceedings against the eminent persons who had so rashly echoed the jargon, if they had not actually abetted, the purposes of the revolutionary faction. The friends of monarchy and order were at least consistent in desiring, that the Norfolks and the Foxes should be brought under the subjection of the law, as well as the Hardys and the Thelwalls. It was distinctly proposed that some proceeding should be taken against Fox, who, after his dismissal from the Privy Council, had deliberately repeated at the Whig Club the offence which had been so signally reproved. But though the indignation of the Tories was in a great measure justified, the Minister himself might well pause, before he ventured on so bold a step as the prosecution of his great rival. The result would probably be an acquittal; and an acquittal would be a triumph such as the revolutionary party had not yet attained. Reasoning in this manner, Pitt prudently determined to refrain from the attempt to put the law in motion against his great rival.[8]

[8] The record of this transaction, which has recently come to light, does not place Pitt's character in a pleasing point of view.

Ch. 37. — 1798

Had Pitt persevered in his idea of sending his rival to the Tower, or expelling him the House of Commons, he would have found that assembly pliant to his purpose; and such was the temper of the times, that it is much to be doubted whether Fox would have found half the support and sympathy out of doors, which a former generation had lavished upon Wilkes. State prosecutions no longer excited public interest; and persons were acquitted or convicted according to the evidence, upon charges of treason or sedition, without becoming heroes or martyrs. Erskine exerted all his eloquence and skill as counsel for the Crown, in prosecuting to conviction a poor bookseller who had sold 'The Age of Reason.' The great champion of the liberty of the press is said, indeed, about this time to have made an overture to the Minister.[t] A few days before Fox's name was

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Having made up his mind, that it was not expedient to prosecute the leader of the Opposition for an attempt to stir up sedition, Pitt was not ashamed to entertain a suggestion of a very different kind. He thought of having Fox reprimanded in his place, calculating on the certainty of his repeating the offence at the next meeting of the Whig Club, 'When'—to use Mr. Pitt's own words —'he (Fox) might be sent to the Tower for the remainder of the session, which would assert the authority of the House as much as an explanation, and save the inconvenience of a Westminster contest.'—Pitt to Dundas, 5th May, 1798.—Lord STANHOPE'S *Life of Pitt.* This idea of laying a trap for the most frank and careless of men, was more worthy of the low cunning of a policeman, than the generous rivalry of public life.

[t] Lord STANHOPE'S *Life of Pitt*, vol. iii.

struck out of the list of Privy Counsellors, Sheridan went down to the House of Commons; and, on the occasion of a message from the Crown asking for fresh powers to suppress domestic treason, he delivered a speech so loyal and patriotic, as to call forth the applause of the great majority of the House, and high compliments from the Minister himself. The minority, which had become so small since the commencement of the war, had suffered a sensible diminution during the present session; and, except on the Assessed Tax Bill, had never numbered more than fifteen. Yet the Duke of Bedford, who was considered the head of the Whig party, thought it worth while to rise in his place, and move an address to the Crown for the dismissal of His Majesty's Ministers. This solemn mockery was supported by the Marquis of Lansdowne, in whose administration Pitt had first filled the office of Chancellor of the Exchequer. The Whigs, however, were in proportion stronger in the Lords than in the Commons; for the Duke's motion found thirteen supporters in a House of one hundred and twenty-six members.

Ch. 37. 1797

The change which had taken place in the public feeling is not to be attributed to popular caprice. The war, in its origin, was regarded with disfavour by many honest friends of liberty, as a war in which this country ought not to have engaged. It was a war in which we were allied with despots who, under pretence of vindicating the rights of a brother Sovereign, were intent only on

Change in public opinion.

Ch. 37. — 1797

objects of rapacity and ambition. At the same time, the conduct of the Government seemed designed to bring the administration of affairs at home into harmony with that which obtained at Vienna and Berlin. Because freedom had been abused at Paris, the liberties of Englishmen were assailed. The press was put under restraint; legions of spies were let loose upon the country, and no man could speak his mind in safety; or even do the most harmless acts without fear of question. It is no wonder that the old English feeling was aroused, and that the State trials of 1794 were regarded with an intensity of interest which had not been equalled since the trial of the Bishops. The public safety at that time depended on the trial by jury, and men were satisfied that their liberties were safe, when it appeared that the great institution which had so often sustained them was still sound and unshaken. The Government had considered it necessary, for the preservation of law and order, to institute these prosecutions. Had they been successful, thousands of foolish people would have thought the country was saved; but on the day that Hardy and his fellow prisoners suffered at the gallows, hundreds of thousands of men who were no friends to French principles, but who loved *the good old cause* of English liberty, would have lost their confidence in the constitution. Happily the prosecutions failed, and from their failure was derived that security, which but for these trials, would not have been ascertained.

Three years had wrought a change in public feeling. The French revolution had become a gigantic military aggression on the independence of other nations; the insolence with which England had been repulsed when she almost sued for peace, showed that nothing less than the humiliation of this country would content the overbearing republic. The menace of invasion only was wanting to rally every Englishman in support of the Government, to suspend domestic strife, and to separate from the rest of the community the faction, whether of fanatics or traitors, who thought this a convenient season to agitate questions which would cause irreconcileable divisions. The idea that the war had been promoted by Pitt and the aristocracy, for the purpose of suppressing parliamentary reform and popular measures, no longer had possession of the intelligent and the well informed. It was now pretty certain, that Pitt, at least, had been reluctantly forced into the war, and that he was sincerely desirous to bring it to a close. Meanwhile the nation felt a just pride in the exploits of that noble service which had ever been her protection against foreign foes, and the cause of her ascendancy among the powers of the world. If the country could no longer find a general worthy to lead her soldiers, there was no falling off in the sister service, for the Hawkes and the Rodneys were succeeded by the St. Vincents and the Duncans; and the rising fame of one consummate captain promised

Ch. 37. — 1797

to eclipse the glory of the most renowned commanders. Thus it was that the public spirit and loyalty of the people mounted high; and the danger which, for a time, threatened the monarchy no longer alarmed the existing generation.

CHAPTER XXXVIII.

IRELAND. THE REBELLION—THE UNION.

THE state of Ireland had, for some time, been a subject of anxious consideration to the ministry. While they watched, with intense satisfaction, the rapid decay of that great army of Volunteers, which had suddenly risen to a height hardly compatible with the authority of an Imperial Government, the French Revolution gave a new impulse to Irish discontent. The causes of Irish discontent were manifold, and some of them were deeply seated in the social and political constitution of the country. There were also grievances which Ireland shared in common with her imperial sister. Each island had a parliament, the representative branch of which was imperfect and corrupt. The British system, however, was capable of reform and restoration; but the Irish system was, throughout, incurable

Ch. 38. — 1794

and rotten. In England, there were many close boroughs, and there were also many open boroughs. Every county comprised a numerous body of yeomen and freeholders, who returned gentlemen of the first figure and fortune. There were a few constituencies with whom men of ability and public spirit usually found favour. But in Ireland, all the boroughs were close; the counties were, for the most part, as close as the boroughs; nor was there any Middlesex, or Westminster, to send up members who would speak with the voice of the people, and expose the delinquencies of power. There was, indeed, no want of loud vaunting patriotism in the House of Commons; but there were only two men in the Irish Parliament who could, undoubtedly, be called disinterested and upright lovers of their country. These were Lord Charlemont and Henry Grattan. With the exception of the small minority composing the ostensible opposition, every Irish member had his price, and this price was, in each case, approximately, if not exactly, ascertained by a careful appraisement, made by the principal minister at Dublin, and communicated by him, in the shape of a semi-official paper, to the head of the Government in London.[a] Hence the country was governed, and indeed governable only, through this corrupt agency, and the whole patronage of

[a] Vol. iii. 263—265. More than one-third of the Irish House of Commons consisted of placemen and pensioners.

the Crown in Ireland was dispensed through the foul channel of Parliament. Nay, so degraded had the Irish administration become, and so contemptible in the eyes of English statesmen, that whenever a job was too gross to bear even the imperfect light shed upon such transactions in England, it was transferred to the Irish establishment.[b] Disreputable men and women were placed upon the Irish pension list, or had annuities charged upon the revenues of the Irish Post-office. In more than one instance, Irish peerages were given to persons who would now be sufficiently rewarded by knighthood. The standard of public morality in Ireland has never been so high as in this country; but the Irish Parliament was a scandal, which a people with any sense of shame, must have felt to be intolerable. A theme so fertile of declamation as parliamentary reform was not neglected by a nation of rhetoricians. The question was frequently discussed, with great fervour, both within and without the walls of Parliament; and at one time, when the debate was conducted under the bayonets of the volunteers, there seemed to be a possibility that a reform of Parliament would really take place; but this alarm

[b] I have before me a letter from the Duke of Rutland to Pitt, remonstrating against an intention to create a loan contractor on the Stock Exchange, an Irish peer; the reason being that the contractor was a proprietor of an English borough. —*Bolton Papers.*

Ch. 38. — 1794

passed away, and public affairs relapsed into their old routine. If the faulty state of the representation had been the only, or the principal, grievance of which Ireland had to complain, a vigorous minister might have applied a remedy. He could have remodelled the whole system; or taken the more decisive course of abolishing an assembly which never could rise above the level of a debating club, or exercise functions of much more importance than those of a provincial vestry. But the grievance which mainly affected the peace and prosperity of Ireland, lay beyond the reach of any political remedy. Religious dissension has always more or less distracted that unhappy island. The English Catholics, diminished, scattered, and overwhelmed by the wealth, the power, and the dominant will of the Reformed Church, had long ceased to struggle with adverse fortune; but in Ireland the Romanists were the majority of the population, and comprised a large proportion, if not the majority, of the old nobility and landed gentry. An equal participation of civil rights with the Protestant minority, which itself was almost equally divided between the Presbyterians, and the members of the Anglican Church, was incessantly demanded by the united Catholic body. They had extorted some small concessions from time to time; by the act of 1793, many of the most important disabilities, which attached to them, were removed, and they were admitted to the exercise of the elective franchise. It followed, almost of necessity, that

urgent efforts were made by the Catholics to complete their emancipation from civil disability. Here, however, they encountered the vehement opposition, not only of the zealous Protestants and the old exclusive ruling party, but of a large section of liberal politicians, including such men as Lord Charlemont, who voted against some parts of the Act of 1793, even as going too far. After the French Revolution, the Catholic question became complicated with the question of parliamentary and administrative reform, with the question of separation from England, with the question of expelling the English race, with the question of an Irish Republic. Several associations had been formed, after French and English fashion, for the promotion of their different objects; but the Society of the United Irishmen, founded in 1791, comprised, as its name imports, most of the floating elements of Irish mischief.

Remedial measures in Ireland.

Besides the Catholic Relief Act, several other just and liberal measures were passed in the session of 1793. The odious Hearth-tax was repealed. Placemen and pensioners who had hitherto infested the House of Commons, were, to a great extent, excluded. The pension list was reduced by one-third. No charge was thenceforth to be placed on the Irish revenue without the sanction and consequently the responsibility of the Irish executive. Fox's libel law was adopted. Grattan and his friends, who hated democracy only less than political corruption and injustice, and who desired

Ch. 38. — 1794

only to walk freely within the sphere of the British Constitution, went heartily with these measures. But this wise and patriotic party was very small. The old dominant faction, whose only principles of Government were Protestant ascendancy, patronage, and bribery, were necessarily opposed to every measure of concession and reform; while the revolutionists were impatient at the removal of any particular cause of discontent, and of any policy calculated to cement the union with Great Britain.

Treasonable projects of French invasion.

The measures of 1793, therefore, were unproductive of good; and the malcontents only increased their efforts—alarmed at the prospect of humane legislation and honest administration in Ireland. The absolute and immediate emancipation of the Catholics, together with a parliamentary reform on the basis of unrestricted suffrage, were put forward as the pretexts for rebellion. The office-bearers and leaders of the United Irishmen, Hamilton Rowan, Napper Tandy, and Wolfe Tone, were, meanwhile, either by action, correspondence, or personal communication, arranging with the French Directory and the French General the plan of a descent upon the island.

Duke of Portland's policy.

In 1794, the accession to office of the Duke of Portland and his friends, led to an attempt towards a change of system in the administration of Ireland. It was proposed that Lord Westmorland, who was entirely in the hands of the old corrupt Castle party should be removed from the lieutenancy, and that a successor should be sent over

who would form other connections, and introduce a different policy. Pitt discouraged this proposal, even at the hazard of a breach with his new colleagues.[c] He was averse to any change of system; or even to a change of placemen in Ireland. Lord Westmorland's recall, too, must be contingent on the possibility of making an arrangement which would provide him with a suitable office to compensate him for the one of which he was to be deprived. Lord Fitzgibbon, the Irish Chancellor, though a man of great ability, was, on account of his domineering temper and intolerant policy, the most unpopular Minister in Ireland. It was proposed to dismiss him. But Pitt positively refused to remove Fitzgibbon on any terms. Lord Camden, the son of Chatham's most devoted friend and follower, was designated by Pitt for the new Lord Lieutenant. After much discussion, the ascendancy of the first Minister was maintained; the Whig lords yielded every point but one. The Lord President, Earl Fitzwilliam himself, offered to go to Ireland. Such a candidate put an end to all competition. It seemed impossible to have made a happier choice. Fitzwilliam was the heir of the Marquis of Rockingham, under whose administration the legislative independence of Ireland was achieved. He was, in respect of property, an Irishman, being, in fact, one of the largest landowners in the country.

[c] Windham to Pitt.—Lord STANHOPE's *Life of Pitt*, vol. ii.

Ch. 38. — 1794

He was a Whig Grandee, a traditional leader of that party of which Charlemont and Grattan were the representatives in Ireland.

Overtures made to Grattan.

While this important business was in progress, Lord Fitzwilliam wrote to Grattan, with whom he had no personal acquaintance, announcing the contemplated change in the viceroyalty, and intimating also, what indeed might have been inferred, the probability of important changes in the policy and administration of the Irish Government. Grattan went to London, and, soon after his arrival, was sent for by Pitt. In this interview, it has been stated on authority, that Grattan was informed, that while the Government were desirous of postponing the Catholic question, and would not bring it forward at present on their own responsibility, they would not oppose it, if brought forward by others.[d] Such an intimation made, at an interview of his own seeking, by the first Minister to the leader of Opposition, could hardly be interpreted otherwise than as an invitation to

[d] It is so stated by the son and biographer of Grattan. Lord Stanhope questions the accuracy of Mr. Henry Grattan's version of what passed between his father and Mr. Pitt. But Mr. Grattan must have obtained his information from the most authentic source, and was incapable of wilfully misrepresenting what he was told. Lord Stanhope opposes no authority to Mr. H. Grattan's statement. Pitt would hardly have sent for Grattan without a purpose. His own views were notoriously favourable to the Catholic claims, and Mr. H. Grattan's statement is substantially corroborated by Lord Fitzwilliam's letters to Lord Carlisle.

aid in the settlement of a question which vitally affected the social, no less than the political, condition of the country. Grattan took the hint, and went back to Ireland to prepare a bill of Catholic emancipation. Ch. 38. 1794

Lord Fitzwilliam arrived in Dublin at the close of the year 1794. His reception was significant of the import attached to his mission. Loyal and congratulatory addresses poured in from all parts of the island; the Roman Catholics especially went in a large and imposing procession to the castle, and presented an address, in which they plainly expressed their hopes that their friends would be promoted to the foremost place in his Excellency's counsels. The Lord Lieutenant's reply did not discourage this expectation. The Irish Parliament was opened on the twenty-second of January. Grattan moved the address; and, in a few days, brought in a bill, repealing absolutely and immediately all the penalties and disabilities affecting the Roman Catholics. This step was taken by the desire of the Lord Lieutenant, who was apprehensive lest the subject should be taken up by some one of the many presumptive intruders who are always ready to seize on popular questions.[e] The bill itself was framed in concert with the Viceroy, and by him communicated to the Cabinet, before the meeting of the Irish Parlia- Fitzwilliam's arrival in Dublin. 1795.

[e] Lord Fitzwilliam's first letter to Lord Carlisle. — *Annual Register*, 37. p. 132.

Ch. 38. 1795

ment. It was not until the eighth of February, that the Duke of Portland, whose duty it was as Secretary of State to correspond with the Irish Government, wrote to the Lord Lieutenant, urging him, in the strongest terms, to refrain from committing himself by any engagements or even by any encouraging language, to the Catholic measure. The postponement of the question, his Grace added, would be "the means of doing a greater service to the British empire, than it has been capable of receiving since the revolution, or at least since the union." Considering that the Duke of Portland, ever since he had himself filled the Vice-royalty, and up to this moment, had held that Catholic emancipation was the cardinal point of Irish policy, Lord Fitzwilliam might well be surprised at this portentous reply to a letter, written nearly a month before, in which he had announced his intentions, subject to the immediate disapproval of the Cabinet, to give the support of the Government to Grattan's Bill. It was evident that something had occurred to convert the hesitating and languid acquiescence of the Cabinet with Lord Fitzwilliam's policy, into active and peremptory disapprobation.

The cause was easily discovered. It would have been idle to remove Lord Westmorland, and to replace him by a man of such mark as Lord Fitzwilliam, unless with the view to a change of policy which required a change of administration. It was obvious that this change could not be confined to the lieutenancy. Pitt had only insisted that no

change should take place in the Great Seal. But Fitzwilliam naturally desired to be rid of some at least of the obscure herd of placemen who had long oppressed the public service, and to confer principal offices on the distinguished men who had hitherto supported, under adverse fortune, the just and enlightened policy which he desired to adopt. Accordingly, he proposed to remove Wolfe and Toler, men of inferior parliamentary and professional standing, from the offices of Attorney and Solicitor General, and to appoint Ponsonby and Curran, the one the first debater in the House of Commons, and the other the most eloquent advocate in the Four Courts. In England such an arrangement, under analogous circumstances, would have been a matter of course. But Wolfe and Toler thought themselves exceedingly ill used, and demanded compensation for the loss of their offices, as if they had been vested interests. Each claimed a peerage, and the reversion of a chief justiceship; and their impudent demands were partially submitted to by the English Government. Cooke, the Secretary at War, was also dismissed, and though he was to receive one thousand two hundred pounds a year by way of compensation, this gentleman complained as loudly as if he had been deprived of his estate. But the clamours of the Wolfes, the Tolers, and the Cookes, would have died away and been forgotten, if the new ruler of Ireland could have withheld his hand from one greater

Ch. 38. 1795

than them all. It would be difficult to make the nature of Irish government before the Union intelligible to an English reader; nor is it possible, perhaps, for an Englishman accurately to understand it. England, up to a recent period, was governed by an oligarchy; and so was Ireland; there was a corrupt House of Commons at Westminster; and there was a corrupt House of Commons at Dublin; but here the resemblance ended. There was no comparison to be made between the Whig grandees, who distributed the patronage of the empire, and the two or three Irish families which divided among themselves and their followers the spoils of a narrow province. The Cavendishes and the Russells, the Fitzwilliams the Pelhams and the Grenvilles, who long ruled in England, were very different persons from the Boyles and the Stones, the Shannons, the Fosters, and the Beresfords, who, during the same period, reigned supreme in the inferior island. The English statesmen were the representatives of a great policy, and, whatever their private jealousies and contentions, these were ever kept subservient to the principles on which the throne of the house of Hanover was based. They governed partly by corruption, because the doubtful fortunes of the new settlement had raised a tribe of time-servers whom venal motives alone could attach to the precarious cause of civil and religious freedom. But the vile means which circumstances obliged them to employ for a noble end, left little or no taint on

the statesmen of the revolution. Even Newcastle himself, who reduced bribery and corruption to a system, and who hardly knew any other mode of government, was personally unsullied; and, far from profiting by a command of political patronage which has never been equalled, a great part of his private estate was in this manner sacrificed to what he considered the public service. But the families which governed Ireland, though they adopted the party titles of Whig and Tory, regarded political power merely as a means of obtaining for themselves and their connections titles, offices, emoluments and advantages of every description at the public expense. Instances are related of regiments of militia raised for the sole object of patronage, of barracks erected to improve the property of a member or friend of the ruling family; of canals cut in the wrong direction for a similar purpose. The Irish pension list was a proverb. Jobs, which, in the days of the Walpoles and the Pelhams, could not be attempted in England, were not considered too gross for Ireland.[b] Political spies, foreigners

[b] The memoirs of Lord Chesterfield and the Duke of Bedford, both of whom were Irish Viceroys, contain numerous passages illustrative of the system. The following is from the Duke's Correspondence: 'As things are circumstanced, business may be easily carried on the next session; but the leading people must have douceurs, a great many of which I must, at a proper time, lay before his Majesty. By these means he may do what he pleases with this country. The Princess of Hesse may have her pension of five thousand pounds; but other things of the like

Ch. 38. — 1795

whose services could not be set forth, and cast-off mistresses were placed on the Irish establishment, though not always without murmurs from the ruling families, who thought their domain unduly invaded. The Irish oligarchy had no excuse for—nor indeed did they ever pretend to excuse—their system of corruption. They had no disputed succession to deal with; no party in the state actively and avowedly engaged in behalf of the exiled family; no double-faced friends more dangerous than open enemies; no waiters upon providence uncertain to which side their private interests should incline them. All these were the cares of English statesmen, and the justification of the means which they employed. But what with English statesmen were means justified only by the end, were, with Irish politicians, the end itself. Political power, on the other side of St. George's Channel, was sought with no other object than the advancement of private interest. Any pretence of public spirit was treated as cant and hypocrisy. "Did I ever give an honest vote in my life?" said an honourable member, whose family was maintained at the public charge, and the House rang with applauding laughter.[c]

The English Government were content that the affairs of Ireland should be administered after this fashion. I have shown how one English secretary

nature must be given in Ireland.' May 24th, 1758.—*Bedford Correspondence*, vol. ii. p. 335.

[c] WAKEFIELD'S *Account of Ireland*, vol. ii. p. 802.

to the Lord Lieutenant, with official aptitude, gauged the exact measure of Irish corruption, and drew up for the information of his chief, a report, exhibiting, in the tabular form, the terms and conditions on which alone the King's Government in Ireland was to be carried on.[d]

Influence of the Beresfords.

Among the native families, through whose agency this system of jobbery and corruption had from time to time been worked, the family of Beresford had long maintained the first place. It has been said, by a well-informed writer, not prone to exaggeration, that one-fourth of all the places in the island were filled by this family.[e] In England, the chief, or some other member of a ruling family, held high office, or filled a conspicuous position in public life; but in Ireland the men of influence were seldom men who sought distinction in Parliament, or even affected the great offices in the state. This was remarkably the case with the Beresfords, none of whom ever attained any position in the House of Commons, or occupied a responsible place in the Government. One of the Lord Lieutenants said that he found the influence of the First Commissioner of Wide Streets, who was the Beresford of the day, more powerful than his own.[f] Lord Fitzwilliam, on his arrival in Dublin, found the chief of the Beresfords filling the subordinate office

[d] Secretary Orde to Mr. Pitt. *Bolton* MSS, and note, vol. iii. p. 264.

[e] WAKEFIELD, vol. ii. p. 384. [f] Ibid.

Ch. 38 — 1795

of Commissioner of Revenue. But this man exercised such influence, that Fitzwilliam called him the King of Ireland,[g] and the Viceregent was not disposed to endure such rivalry. One of the earliest acts of his administration was to dismiss Beresford from his employment.

Panic amongst Irish officers.

This unexampled and unexpected act of power spread consternation through the whole rank and file of office. Such an alarm had not been known since the year 1782, when Lord Temple announced his intention of bringing a Government defaulter to account.[h] Beresford immediately went to London, not in terms to demand the recall of the Lord Lieutenant, but to take such measures as should secure that result.

Animosity against Fitzwilliam.

Lord Fitzwilliam had in fact made the two most powerful men in Ireland his mortal enemies. The Chancellor, by his great ability, and still more by the force of his character, had almost the weight and influence of a Prime Minister; and Lord Fitzwilliam, it was well known, had, for a long time, insisted on the removal of the Chancellor, as a condition of his undertaking the Government of Ireland. A Beresford only could be a more formidable enemy than Lord Fitzgibbon. The precipitation with which the new lieutenant gave his sanction to a sweeping measure of Catholic relief, afforded the pretext, if indeed it did not afford a sufficient reason, for appealing to the English

[g] *Courts and Cabinets of George the Third*, vol. ii. p. 331.

[h] HARDY'S *Life of Lord Charlemont*, vol. ii. p. 65.

Cabinet. But the liberality of Mr. Pitt's views on the subject of the Catholic claims, made it very doubtful whether he would convict the Viceroy of an irreparable error, by his hasty concession of civil rights to the great majority of the Irish people. It was suggested, therefore, by the prompt and daring genius of the Chancellor, that the appeal should be carried at once, and in the first resort, to the highest quarter. Fitzgibbon himself had always been an uncompromising opponent of the Catholics, and had gone so far as to declare that emancipation would be incompatible with the connection between Great Britain and Ireland. The King was known not to be favourable to the pretensions of his Romanist subjects; and if his narrow understanding could be possessed with the notion that there was an insuperable bar to these pretensions, the question would be postponed at least for the existing reign, and the wrongs of the Beresfords and the Fitzgibbons would be avenged. Accordingly, it was intimated to his Majesty that grave doubts were entertained by high authority,[1] whether the concession of the Catholic claims would be compatible with the coronation oath. The King, greatly disturbed, took the opinion of the Chief Justice. Kenyon, as bigoted as his master, and

[1] 'This idea was Lord Fitzgibbon's and it was probably communicated, through Lord Westmoreland, to the King.'—*Auckland Correspondence*, vol. iii. p. 304. This is confirmed by a passage in Lady Harcourt's papers, MSS.

Ch. 38. — 1795

hardly more competent to give an opinion on a high question of constitutional law, still shrunk from committing himself at full length to the doctrine so boldly laid down by the Irish Chancellor. He gave an evasive answer, the effect of which really was that His Majesty might construe the oath in either sense, but that he would do well to follow his own inclinations, and resolve the doubt on the side of intolerance. The Chief Justice probably knew that the King had made up his mind already, and only wanted to have his opinion supported by legal authority. The idea which had been put into his head regarding the coronation oaths had already become a ruling idea, like that of rescuing the Crown from the dominion of the Whigs, or that of suppressing American liberty. He sent for Pitt, and insisted on the immediate recall of Lord Fitzwilliam. Much as Pitt contemned the reason assigned for this peremptory proceeding, he was in truth not much disposed to resist the pressure put upon him. In sending Fitzwilliam to Ireland, he had, for the first time since he had been at the head of affairs, yielded reluctantly, and with a very bad grace, to the influence of a section of his Cabinet. He was probably not ill pleased that his formidable Whig colleague should have discredited himself by want of judgment and conduct. A Cabinet was summoned, and even the Duke of Portland had nothing to say in vindication of his friend. The Earl Fitzwilliam was recalled, and his rival the

Chancellor was immediately afterwards advanced in the peerage with the title of the Earl of Clare. Ch. 38. — 1795

Fitzwilliam, not content with vindicating his conduct in his place in Parliament, appealed to the public, in two long and intemperate letters addressed to his friend the Earl of Carlisle. Both in his speeches and in his writings, he persisted in attributing his disgrace, not to the course which he took on the Catholic question, but to his dismissal of Mr. Beresford. The truth is, that the combination of these two events was the ruin of his administration. All-powerful as the Beresfords were in their own country, they had hardly sufficient credit in Downing Street to displace a Lord Lieutenant. And in the division of public opinion in Ireland on the Catholic question, the tendency of the Viceroy towards the liberal side, would not in itself have been considered a sufficient reason for removing him, had not the resentment of the old Castle Party hit upon the happy idea of alarming the prejudices of the King. But the influence of the Beresfords, co-operating with the authority of the Lord Chancellor, the bigotry of the King and the indiscretion of his Lieutenant, would have outweighed the support of the Minister himself, had he put forth all his power in support of the Irish Viceroy. Far, however, from attempting to uphold the great officer for whose appointment he had become responsible only a few weeks before, Mr. Pitt was only too ready to sacrifice him. Letters of Fitzwilliam.

Lord Camden, whom Pitt had originally desig-

Ch. 38. — 1795

nated for the office, was appointed Lord Lieutenant. Under ordinary circumstances, this nobleman would have been welcomed as a successor to the Westmorelands and the Buckinghams. But the people of Ireland were in no humour to be propitiated. Their hopes had been raised high. They had been taught to think that justice was at length to be done to their country; that the days of public robbery and monopoly were numbered; that all men wer to be equal before the law; and that a free Parliament would soon sit in College Green. These fond illusions had been in a moment rudely dissipated. Lord Fitzwilliam arrived in Dublin at the beginning of the year. Before the end of February, it became known that the most popular Governor who had ever occupied the Castle, was to be hastily removed because he was about to do justice to Ireland. The excitement throughout the country was intense. Both houses of Parliament passed unanimous votes of confidence in the Lord Lieutenant. Similar resolutions were agreed to by most of the corporate bodies, many of the counties, and numerous public assemblies. The day on which Fitzwilliam quitted Ireland, was a day of gloom, and a day of evil omen which has hardly yet been fulfilled. On that day, the Irish people abandoned all further hope that the policy of 1782 was to be resumed and carried into effect. The Presbyterians of the north, who cherished the traditions of English liberty, and the Roman Catholic body, who pined for religious freedom,

Lord Camden made Viceroy.

were now ready to unite in a common cause against a common foe. Even that party, never very numerous in Ireland, though comprising the best friends of their country, who sought to obtain both civil and religious liberty by legal and constitutional means, began to hold different language.[k] But moderate counsels were no longer listened to, and popular power passed from the hands of the Grattans and the Ponsonbys, to those of the Edward Fitzgeralds and the Wolfe Tones.

Beresford's house attacked.

Lord Camden arrived in Dublin on the last day of March. His entry, instead of being attended with the noisy demonstration of welcome, which the warm-hearted and thoughtless people usually lavished on their new governor, was marked by gloomy silence. But when the officers of state went to wait upon his Excellency at the Castle, the rage of the populace had nearly proved fatal to the persons who had been chiefly instrumental in procuring the dismissal of the late Lord Lieutenant. Beresford's house was attacked by a blood-thirsty mob, which was with difficulty dispersed by a military force. The Chancellor was beset in his carriage, and escaped with life only by his undaunted courage.

On the reassembling of the Irish Parliament,

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[k] 'It is now the established principle of the British Cabinet that Irish jobbers and Irish jobs are sacred; and that whatever redress we may look to can only be obtained by peremptory and hostile demand. Grattan to Burke, 14 March, 1795.—*Burke's Correspondence*, vol. iv. p. 293.

Ch. 31. 1795

after the prorogation caused by the retirement of Lord Fitzwilliam, the Catholic Relief Bill was, of course, the question of the day. The new Government, or rather the old Government restored, opposed the second reading of the bill. The debate lasted through the night, and at half-past ten in the morning, the bill was thrown out by a majority of nearly two to one. This result being the certain consequence of the change of Government was regarded only as a formal renunciation of the policy of justice and conciliation.

Orangemen.

It soon became evident, that Ireland must be kept in subjection by the strong hand of power. The Protestant party, not content with defeating the attempt of the Roman Catholics to obtain an equality of civil rights, followed the example of the other parties in the country, and formed an association, the professed object of which was to maintain the ascendancy of their people, and to keep the Romanists in subjection. This body, by an ingenious or an ignorant perversion, took the title of Orangemen; and thousands assumed the badge of King William under the idea that they were faithful disciples of the august champion of civil and religious liberty. The United Irishmen on the other side, wore the national colour. It was not long before the orange and the green came into hostile collision. In the autumn of 1795, a fight took place in the county of Armagh; and the Catholics, though greatly outnumbering the Protestants, were worsted. This disastrous

conflict was long celebrated in provincial warfare as the battle of the Diamond, from a wretched village near which it was fought. The most violent animosity thenceforth separated the adherents of the Church of England and the Church of Rome; and the former having the upper hand, the law afforded but little protection to the obnoxious religionists who, on their part, retaliated by murder, by the destruction of property; and, above all, by the seizure and collection of arms.

And now commenced that series of coercive measures, which were continued, with little abatement, for half a century, and have not even yet disappeared from Irish legislation.

United Irishmen change their tone.

The Society of United Irishmen, which had hitherto pursued lawful objects, by lawful means, at this time changed its character; and from being a public body, with an avowed policy, became a secret association, whose councils were not divulged. A large majority, consisting of men whose views were limited to Parliamentary Reform and Catholic Emancipation, consequently withdrew; and the remaining members took a new pledge 'to persevere in their endeavours to obtain an equal, full, and adequate, representation of all the people in Ireland,' omitting the words in the former text, importing that the reform sought was a reform of the representation *in Parliament*. The immediate object of this new league was that which had been ultimately con-

Ch. 38. — 1796.

templated by the original projectors of the Irish Union, the establishment, namely of an independent republic; and to this object all its energies were now addressed.

Disordered state of the country.

The hatred of the rival races and creeds, no longer restrained by co-operation for a common end, soon burst forth with a fury which had never been surpassed in the annals of that chronic civil war, which chiefly formed the history of this ill-fated people. Bands of marauders traversed the country, plundering and destroying houses and property. The Government, instead of repressing these outrages with firmness and moderation, aided the savage policy of retaliation, to which the exasperated Protestants were too willing to resort. Lord Carhampton, the general[1] commanding the forces in the disturbed districts, let loose his troops upon the wretched peasantry. It was enough for a magistrate, a squireen, or even a farmer, to point out any person as suspected, to have his habitation burned down, his family turned adrift, and himself either shot or transported, without trial, without warrant, without enquiry. An Act of Indemnity was passed, by the Irish Parliament, in the Session of 1796, to protect these enormities; and the Insurrection Act gave

[1] This was the Colonel Luttrell, who gained such unenviable notoriety as the supposititious member for Middlesex, in the famous contest between the House of Commons and the constituency,

them, for the future, the sanction of law. The suspension of the Habeas Corpus completed this barbarous code, which, in effect, outlawed the whole people of Ireland.

Violence of the Protestant party.

It would have been some mitigation of this terrible system of repression, had it been carried into effect, by a regular military force, disciplined to the usages of civilised war, and free from the passions of an infuriated party; but the Government thought fit to place arms in the hands of thirty-seven thousand Protestant yeomanry, who admitted no Catholics into their ranks, and were suffered to assume the Orange Ribbon — the insolent badge of Protestant ascendancy. The cruelties perpetrated by these men, both before the rebellion, and while it was raging, and after it was suppressed, differed only in degree from the worst enormities of the French revolutionists. Under the authority to search for concealed arms, any person whom any ruffian, calling himself a Protestant and loyalist, and either, with or without a military uniform, chose to suspect or to pretend to suspect, was liable to be seized, tortured, and put to death. Hundreds of unoffending people, and people who were guilty of no other offence than professing the creed of their fathers, or of letting fall a word of discontent, were flogged until they were insensible, or made to stand upon one foot on a pointed stake. These were the most ordinary punishments. Sometimes the wretched victim was half hanged, or the scalp

Ch. 38. — 1797.

was torn from the head by a pitched cap. Catholics and reputed malcontents of the better class, were subjected to still worse treatment. Militia and yeomanry, as well as the regular troops, were billeted on them at free quarters; and this billet appears to have been invariably construed as an unlimited licence for robbery, devastation, ravishment,[m] and, in case of resistance, murder. This system, if long continued, would have recoiled in its effects on the Government by which it was sanctioned or tolerated. It must have resulted in wholly demoralising the army, and converting it into an armed banditti, upon which no reliance could be placed in the event of a foreign invasion. Sir Ralph Abercromby, one of the best generals in the British service, on assuming the command of the army in Ireland, declared, in general orders, that their habits and discipline were such as to render them 'formidable to everybody but the enemy.' For this phrase, the just severity of which was confirmed by the subsequent experience of Lord Cornwallis,[n] the

Troops billetted on Catholics.

[m] It is admitted, by the chief apologist of the Royalists, that the rebels, though they emulated the cruelties of their adversaries, did not retaliate upon the women.—MUSGRAVE'S *History of the Rebellion*, p. 429. It was boasted by officers of rank that within certain large districts, no home had been left undefiled; and, upon its being remarked that the sex must have been very complying, the reply was 'that the bayonet removed all squeamishness.'—PLOWDEN, p. 702. note.

[n] Lord Cornwallis to Mr. Pitt, 25th September, 1798.— *Correspondence*, vol. iii. p. 413.

General was forced, by the clamour of yeomanry and militia colonels to resign his command. But the Government profited by the opinion which they had not firmness enough to defend, and Abercromby's successor was instructed to find some other mode of discovering concealed arms than that of suffering the troops to be scattered over the country at free quarters.[c]

Preparations for a general insurrection.

These proceedings of the loyalists mainly promoted the objects, and greatly raised the hopes of those who were really intent on effecting a revolution in Ireland. Many thousands were driven to join the United Irishmen from a desperate sense of self-preservation, as well as from motives of hatred and revenge. The Union, therefore, made active preparations for a general rising. Their organization was planned with an attention to minute detail almost pedantic. A machinery was contrived by which the orders of a secret directory were conveyed through the whole association, and implicitly obeyed by upwards of one hundred thousand men. The military discipline was necessarily imperfect; but arms were extensively distributed; every man was instructed to provide himself, if possible, with a firelock and ammunition; and in default of a better weapon, to carry a pike.

But the Irish insurgents did not rely on their own unassisted efforts. They opened a com-

[c] Lord Castlereagh to General Lake, *Castlereagh Correspondence*, vol. i. p. 189.

Ch. 38. — 1797

munication with the Government at Paris. One Lewins was sent over with the sounding title of Ambassador to the Executive Directory; and the object of his mission was to invite the aid of the French in effecting a separation between Great Britain and Ireland. But the most efficient agent of the rebels was Wolfe Tone, a young barrister who had taken a leading part in the original organization of the United Irishmen. Tone succeeded in satisfying the French Directory that an invasion of Ireland might be attempted with success, and remained on board the Dutch flag ship in the Texel while the expedition destined for that service was waiting for a favourable wind. Lord Edward Fitzgerald and Arthur O'Connor went over to France to arrange with General Hoche the terms and plan of the projected invasion. A French army was to act as an auxiliary; their expenses were to be defrayed by the future Government of Ireland; and after the work of deliverance was accomplished they were to retire. It is certain, that neither Fitzgerald nor O'Connor meant to take their country from England for the purpose of handing it over to France; these men were fanatics without capacity or knowledge of affairs, and doubtless believed in the professions of the French, when they offered to aid the nations of Europe in their efforts to emancipate themselves from the tyranny of their rulers, and never anticipated the possibility that Ireland might share the fate of Belgium and Holland. The project,

however, was happily defeated by the disaster at Bantry Bay. Ch. 38 1797

The Government manifested their alarm rather than their vigour, by the series of proclamations and orders which issued from the castle during the year before the rebellion actually broke out. These documents were, for the most part, framed in such unmeasured terms as seemed to authorize the excesses which had been committed. Notwithstanding Lord Castlereagh's letter to General Lake, directing him to discontinue the practice of quartering troops on districts supposed to be disaffected, there issued, some days after the date of that letter, and three weeks before the rebellion, an order of Sir James Stuart, the general in command of the southern district, of the most violent and atrocious character. It denounced a practice which had been adopted in some of the proscribed districts of subscribing to provide forage and accommodation for the soldiers quartered upon them, for the purpose of evading the burden and punishment intended to be inflicted on the inhabitants individually. It declared that wherever such a practice was adopted, the troops at free quarters should be increased double, treble, and fourfold; and that the district should not be relieved from the presence of those troops until all arms were surrendered and tranquillity perfectly restored, and until it was reported to the general officers, by the gentlemen holding landed property, and those who were employed in collecting the public revenues and tithes, Sir James Stuart's proceedings.

Ch. 38. — 1797

that all rents, taxes, and tithes were completely paid up.

Suppression of the 'Morning Star.'

Popular assemblies being prohibited, the press attempted to supply the place of incendiary eloquence. The 'Morning Star,' a newspaper published at Belfast, was the chief organ of the revolutionary party, and though its conductors were in Newgate, under sentence for seditious libels, the paper was continued with unabated virulence. A party of soldiers marched out of the barracks, and forcibly entered the office of the newspaper, and destroyed the press and types. But the 'Morning Star,' though suppressed by illegal violence, which almost justified the language it had used, was immediately revived in a less regular form. Sheets printed on one side, without the name of a printer, were distributed through Dublin and various parts of the country; and notwithstanding the vigilance of the military, these occasional newspapers were frequently found on the walls of the principal thoroughfares. The new series of the 'Star' contained, in every publication, a list of persons marked for assassination as traitors, spies, and informers. Another print called 'The Press,' edited by Mr. Arthur O'Connor, one of the leaders of the United Irishmen, was written in the same sense; and when this publication was, in its turn, suppressed as a newspaper, it assumed the form of a placard.

Dissolution of Parliament.

In 1797, the Irish Parliament was dissolved. Grattan, and some other members of the opposi-

tion following his example, refused to sit in the new Parliament. The great Irish patriot could find no place in public life amidst the furious passions which distracted his country. He equally repudiated the tyranny of the Government, and the attempt to repel tyranny by rebellion. The rebellion could succeed only by the aid of France; and the aid of France could be purchased only by the independence of the nation. Grattan took leave of his constituents in an address, written with the warmth and vehemence of his nature. It was censured by the partisans of the Government for its inflammatory tendency; and Grattan himself, in after years, admitted that the language of this paper was ill-timed. Nevertheless, the retirement of the Irish leader had in it more of dignity and consistency than the peevish and unmeaning abstinence from regular attendance on Parliament, which Mr. Fox and his friends thought to dignify by the name of secession; and if the abandonment, by Grattan in despair, at that particular moment, of the only field in which the battle of freedom could constitutionally be fought, indirectly aided the unlawful proceedings which he reprobated, it was not so much his fault as the fault of the Imperial Government, which had cruelly disappointed the expectations they had raised, and closed the door against hope itself.

Fresh applications to France.

The insurgents, far from being deterred by the failure of the attempt at Bantry Bay, renewed their importunities for aid to the French Govern-

Ch. 38. — 1797

ment. But there was no common understanding between the parties. The Irish thought the French would be sufficiently repaid for such a perilous enterprise as an invasion of the British isles, by the possibility of aiding an oppressed people to throw off the yoke of their tyrants; but the French, under the guise of a Catholic zeal for liberty, concealed — if, indeed, they did conceal — a raging ambition for conquest, and an enmity to the independence of every other nation. Barras, and Lepaux, and Bonaparte must have smiled at the simplicity of the M'Nevins, the Fitzgeralds, and the Emmetts, the 'Executive Directory,' as they styled themselves, of the Irish people, who proposed to borrow half a million on the security of the Church lands, and who stipulated for a contingent of not less than five thousand, nor more than ten thousand, French troops — a number they said which would suffice for an auxiliary force, but would be insufficient for permanent occupation of the country. The loan was not granted; but fifteen thousand good troops were sent to Holland to be embarked, under convoy of the Dutch fleet, for the coast of Ireland. The Battle of Camperdown put an end, for the time, to the hope of making Ireland a province of France.

Extent of the conspiracy.

The rebel leaders, undeterred even by this disappointment, made every effort to extend the conspiracy, and with such success, that there were few families into which it had not made way. It was dangerous to talk, without reserve, on the state of

the country. Spies of the Loyalists and spies of the United Irishmen were to be found in almost every household. If a man was so rash as to let fall any expression condemnatory of the excesses of either party, even though it were at his own table, it was all but certain that he would be denounced to the District Revolutionary Committee, or to the next magistrate; and he might congratulate himself on an escape, if his house was not attacked, in the dead of the night, by armed assassins. Still, the utmost precaution was taken not to hazard the success of the projected revolution by a premature outbreak. At length, in the spring of 1798, it was announced, by the military committee of the United Irishmen, that all was ready, and that they only waited for the expected movement of their French allies. They reported that the Insurrectionary League comprised nearly half a million of men. The 23rd of May was fixed for the general rising; but before that day arrived, the whole plan was disconcerted by an event to which extensive conspiracies are commonly liable.

Reynolds the informer.

Among the Roman Catholic members of the United Irishmen was one Reynolds, who had a small estate in the County of Kildare. This man, from his influence with the middle class of his co-religionists, had been considered an important acquisition to the cause of rebellion; and accordingly he was immediately nominated to high titular rank in the rebel government. He was styled

Ch. 38. — 1798

Treasurer and Representative of the County of Kildare, and Delegate for the Province of Leinster; he also accepted the commission of colonel in the rebel army. Reynolds, like many other men, had originally joined the Union with no further view than that of compelling the Government to yield the two great measures of Catholic Emancipation and Parliamentary Reform; but had been carried far beyond these points by the energy and resolution of the rebel leaders. Whether actuated by remorse, or by fear, or by a still viler motive, he was induced to betray the counsels of the conspiracy. He opened his mind to a friend named Cope, a merchant in Dublin, and a friend of the Government. After some hesitation, he yielded to those arguments and importunities to which his state of mind inclined him to listen; and, having obtained, through Cope, a promise of secrecy as to the source from which the information was to be supplied, Reynolds made known to his friend, that on the 12th of March the Leinster delegates would meet at the house of Oliver Bond, one of the chief conspirators, to make final arrangements for the insurrection. This disclosure led to the apprehension of thirteen persons, and the seizure of papers containing a description of the plot. The leader of the rebellion, Lord Edward Fitzgerald, was still at large, and, by the influence of his family, might have effected his escape, with the connivance of the Government, had he been so disposed. For several weeks, he lay hidden in the

neighbourhood of Dublin; but a thousand pounds having been offered for his apprehension, Fitzgerald was traced to the house of one Murphy, a petty shopkeeper, in a back street called Thomas Street. A Secretary of State's warrant was issued, and Town-Major Sirr, accompanied by Mr. Swan, a magistrate, Captain Ryan, a yeomanry officer, and a party of soldiers, proceeded to make the arrest. Swan, the foremost of the party, seeing a woman hasten up stairs to give the alarm, pushed by her into a bed-room, where he found Lord Edward lying on the bed in his dressing-gown. The magistrate immediately announced his business, and that he was prepared to execute his warrant with a force which would render resistance useless. Fitzgerald, notwithstanding this intimation, started up, fell upon the magistrate, hacking at him with a dagger, and inflicting some painful wounds. At this moment, Captain Ryan entered the room, and seeing Swan engaged in a mortal struggle with his prisoner, made a lunge at the latter with a sword cane, which glanced aside. Ryan then closed with his desperate opponent, and received no less than fourteen wounds from the murderous weapon which Fitzgerald wielded with savage recklessness. Sirr, having by this time disposed his men round the house, so as to prevent an escape, went up stairs, and found his two companions on the ground weltering in their blood, but clinging to the legs of Lord Edward, who was endeavouring to break

Ch. 38. — 1798

away from them up a staircase which led from his chamber to the roof of the house. Sirr immediately fired his pistol, and the ball entering the shoulder, Fitzgerald was at length secured.[b] An attempt to rescue the prisoner on his way to the Castle, was repulsed by the soldiers. Swan recovered, but Ryan's injuries proved mortal. Fitzgerald, also, after lingering a few days, died of his wound. The most exquisite lyric poet of modern times, himself an Irishman and half a rebel, has attempted to invest the character of Lord Edward Fitzgerald with heroic attributes.[c] But in truth this young nobleman, except his rank, was a rebel of the ordinary kind. A son of the Duke of Leinster, he had entered the army at an early age, and had attained the rank of captain, when he was dismissed the service for the violence with which he expressed opinions hostile to the Government and constitutions of the country. Exasperated at the sentence which he had justly provoked, Fitzgerald went to Paris, and became the friend of Tom Paine, and other extreme partisans of the Revolution. At Paris, also, he formed a connection still more remarkable. He married a beautiful and accomplished girl called Pamela, a natural daughter of Egalité by the celebrated Madame de Genlis. On returning to Ireland, Lord Edward kept up a regular correspondence

[b] Mr. Ryan's Narrative, Lord Castlereagh's *Correspondence*, vol. i. p. 458.

[c] Moore's *Life of Lord E. Fitzgerald.*

with his French friends; he obtained a seat in the House of Commons, and soon distinguished himself in an assembly where words were seldom measured, and not always wise, by the extravagance and folly of his language. He early became implicated in the counsels of the United Irishmen, among whom his rank and name secured him a leading position. He had the sort of sincerity in the cause, which belongs to weak and wilful minds, and the energy which springs from unreasoning vehemence. It was at his urgent instance, and upon his wild, though not intentionally false representations, that the French Government were induced to undertake the expedition to Bantry Bay; and, up to the moment of his apprehension, he was impatient to strike a decisive blow for Irish independence, although it was manifest to common sense that such an attempt could not even for the moment be successful without foreign aid, and could not be permanently established, even if it was for the moment achieved by such assistance. Though, by birth and nurture, a gentleman; and therefore very different from the base and malignant spirits with whom his revolutionary tastes brought him into contact, both in France and Ireland, Lord Edward Fitzgerald did not escape the contamination of his associates. The ferocity with which he sought the lives of the peace officers who came to capture him, when he must have known that resistance was vain, and the assassin's weapon which he used with fatal effect, showed

Ch. 38. — 1798

the desperate outlaw, who would shrink from no deed of cruelty or blood, in his warfare against social order. His life being already forfeited for treason, the death which he provoked was little better than suicide; and, had he survived, his last act would have consigned him to the doom of a felon.

Apprehension of the Sheares.

Several other prisoners were made at the same time, in every case from information supplied by spies, who had procured admittance to the counsels of the conspirators. Two brothers, named Sheares, members of the Irish bar, and foremost leaders of the rebellion, were, in this manner, betrayed to the Government. Among their papers was found the draft of a proclamation, framed after the French fashion, denouncing death and confiscation against all their opponents. This paper was to have been promulgated on the day of the insurrection, which had been fixed for the 21st of May, the day following that on which the Sheares were arrested. The insurrection was to have commenced by the stoppage of the mails; Dublin was to have been the centre of action; and arrangements were completed for the seizure simultaneously of the Castle, the arsenal at Chapelizod, the magazine in the Phœnix Park, and the camp in the neighbourhood of the city. The houses of the principal persons were to be attacked, and the leading members of the Government were to have been put to death.[d]

[d] Lord Grenville to Marquis of Buckingham, May 25th, 1798. — *Courts and Cabinets of George III.*, vol. ii. p. 394.

Ch. 38.
1798

By this timely discovery, the capital was saved from massacre and pillage, and possibly from a temporary occupation by the insurgents. But the plans of the rebels, though seriously disconcerted, were not defeated. A partial rising took place on the appointed day throughout the island, and though the rebels were generally repulsed, yet, in some instances, the loyalists were overpowered, and horrible atrocities were perpetrated. One party, headed by Dr. Esmonde, a man of family and fortune, surprised a detachment of militia, at a place called Prosperous, seventeen miles from Dublin, and burnt the barracks in which they were quartered, murdering the men who escaped from the flames. Esmonde himself, at the time, held a commission in a corps of yeomanry; and, on the day following the attack on Prosperous, dined at the mess of his regiment. He was, however, immediately arrested, and his guilt being clearly proved, he was hanged on the 14th of June.

Dr. Esmonde.

Attack on Naas and Kilcullen.

On the same day, attacks were made by bands of pikemen on the towns of Naas and Kilcullen; the first attempt was defeated with great slaughter; but the rebels succeeded in occupying Kilcullen, for a few days. On the 24th of May, martial law was proclaimed; and it may be mentioned, as a proof of the fierce vindictive spirit which actuated the Irish gentry, that when this proclamation was laid before the House of Commons, Colonel Maxwell, afterwards Lord Farnham, rose, in his place, and suggested that the proclamation should be

Ch. 38. — 1798

made retrospective, so as to reach the prisoners in custody before the rebellion, and awaiting their trial in due course of law. The terrible powers thus conferred on the military, were abused in the most shocking manner. The first example, in point of time, and the most conspicuous, on account of the rank and innocence of the victim, was that of Sir Edward Crosbie. At two o'clock on the morning after the proclamation, a tumultuous body of insurgents rushed into the town of Carlow. The garrison, consisting of about four hundred and fifty men, being prepared for their reception, they were driven back, routed, put to the sword, or burned in the houses to which they had fled for refuge. Eight houses were destroyed, and many hundreds of lives were taken without the loss of a single soldier. But this was not enough to satiate the fury of the loyalists. It unfortunately happened that the miserable rabble, before entering the town, had paraded in the grounds of Sir Edward Crosbie, who resided at the distance of a mile and a half from Carlow. There was not a tittle of proof that this gentleman was, in any way, connected with the rioters, or that he had invited them to assemble on his lawn, at midnight, preparatory to their lawless proceedings. He had not accompanied them, nor did it appear that he had held any communication with them. But Sir Edward was a friend to Parliamentary Reform, and hostile to the oppression of the tenantry by their landlords. To be friendly

to the poor and to reform, was presumptive evidence of disaffection; and presumptive evidence of disaffection was sufficient proof of complicity in the rebellion. The day after the attempt on Carlow, several persons were seized, tried by court martial, and hanged for this offence. Among others, Sir Edward Crosbie was dragged before a set of ignorant, bloodthirsty ruffians, who styled themselves a court martial. There was not a particle of evidence which could have had the least weight with a fairly constituted court, though Catholic prisoners had been, by torture and promises of pardon, converted into witnesses against the accused. Numerous loyalists came forward to state, what everybody in the neighbourhood knew, that Sir Edward was a good subject of his Majesty, as well as one of the few humane and accomplished gentlemen that Ireland possessed. But these witnesses were excluded from the place where the proceedings were held by the bayonets of the soldiery. A gentleman of rank and fortune, who thought that Parliament should be reformed, and that squireens should not be permitted to grind and insult the peasantry, was a dangerous member of society, and must be made an example of to deter others. Accordingly, Sir Edward Crosbie was doomed to death by a court-martial, the president of which was an illiterate fellow who could not spell. The sentence was immediately put in execution at the gallows; and the remains of the murdered gentleman were abused in a

Ch 38. — 1798

manner shocking to humanity. Such was the insolent malignity of the faction, in whose power the Government had placed the lives and liberties of the people of Ireland.[e]

Duff's attack on the Rebels.

At one moment, there seemed to have been an opportunity of bringing the rebellion to a close within a week of the first outbreak. General Dundas, having recovered the town of Kilcullen from the insurgents, two thousand of them, posted near the Curragh of Kildare, offered to lay down their arms, on condition of being allowed to return to their homes. This proposal having been accepted, another body of six hundred men offered to come in; but while these last were marching to the place appointed by the general, they were unfortunately met by a detachment of troops. The officer in command, ignorant of the capitulation, attacked the advancing rebels, who immediately fled, and were pursued, with great slaughter, by a corps of yeomanry called Lord Jocelyn's Foxhunters. A timely order from General Dundas, who had foreseen the possibility of such an accident, saved these people from utter extermination. Although the two thousand men, who first came in, had actually given up their arms and dispersed, it was still insisted, by the Orangemen, that the offer to surrender was only a treacherous feint to throw the Government and the military off their guard? With more shew

[e] GORDON'S *History of Ireland*, vol. ii. p. 392.

of reason, the rebellious peasantry said that they had been treacherously deceived; and that their enemies would be satisfied with nothing less than their blood. Rage and despair, from that moment, took possession of their breasts, and the rebellion spread into districts which had been pronounced wholly free from disaffection.

Wexford address.

A few months previously, when disturbances were expected, the Roman Catholics of the county of Wexford presented an address to the Lord Lieutenant, in which they declared their loyalty to the Crown, and their readiness to take up arms, if required, in defence of the country against foreign or domestic foes. The Government, relying on these assurances, corroborated, as they seemed to be, by the peace and prosperity of that part of the island, thought they might safely except the county of Wexford from the extraordinary preparations which they were making in every other county for the preservation of the peace. The priests, taking advantage of this negligence, assembled their flocks, and joined the rebellion. Father Murphy, a ferocious bigot, put himself at the head of several thousand country people, near the town of Wexford, and cut to pieces a detachment of militia which attempted to oppose them. Another party plundered and burnt the bishop's palace at Ferns. Murphy then marched his men to Enniscorthy, a town about six miles from Ferns, which was occupied only by a regiment of militia and a troop of yeomanry. After a short struggle,

Ch. 38. — 1798

the military were overpowered, the greater part of the town was burnt, and almost all the Protestant inhabitants were massacred. The insurgents then entered Wexford, having dispersed a body of troops which opposed their progress. The rebel force being greatly increased by their successes were divided into three corps; one was placed under the command of Bagenal Harvey, a gentleman of fortune, who had recently been lodged in the jail at Wexford on a charge of treasonable practices. The second and third divisions were commanded by priests, of whom Murphy was the principal. Several encounters took place between the rebels and the military force, in which the latter were defeated, often through the incapacity of the commanders. Harvey marched upon the town of New Ross, and after an obstinate conflict, was driven back by General Johnson. The rebels, in their retreat, murdered three hundred prisoners whom they had taken on previous days. Harvey resigned, or was displaced from his command, after his failure at New Ross; and the rebel bands were afterwards led exclusively by priests whose cruelty and fanaticism emulated the most revolting outrages of the Orangemen. Such progress had the rebellion made at one time, that fears were entertained for the safety of Dublin. The Lord Lieutenant sent Lady Camden to England; and many other ladies left this country. The triumph of rebellion was, however, short lived. A sufficient number of troops having been collected under com-

petent officers, skill and discipline prevailed against tumultuous numbers. General Moore, who afterwards attained such sad distinction in the Peninsula, defeated the insurgents, with a decision, which struck them with dismay. Many dispersed and returned to their homes. General Lake drove the main body from Vinegar Hill, a strong position commanding the town of Enniscorthy; and the next day Enniscorthy itself was re-taken. Wexford also was re-occupied by the king's troops, and most of the rebel leaders were taken and executed under a military commission. These severe measures were necessary. But the courts-martial, composed mainly of Protestant yeomanry and militia, grossly abused their powers to gratify revenge, and to retaliate on the enemies of their religion and race. At the time when the rebellion was at its height, the English Government thought it necessary to replace Earl Camden by a lieutenant, who should be competent to exercise supreme military authority; and the Marquis Cornwallis, who combined high reputation as a statesman and a general, with the requisite rank in the peerage, was induced to accept the vice-royalty. Lord Cornwallis arrived in Dublin the day before the occupation of Wexford by the King's troops; and his first act was to check the violence of party, and to restrain the administration of military law within due bounds. The plenary powers granted to courts-martial by the alarmed and excited government of his predecessor, were withdrawn, and the sentence of every

Ch. 38. 1798

court-martial was to be submitted for approval before execution, according to ordinary practice. The order was just in time to save the life of a peasant, who had been condemned to death for having possession of arms with a treasonable purpose, on the single fact that a bullet had been found in his cottage.[e]

Proclamation of an Amnesty.

Before he had been a week in Ireland, the Viceroy thought the authority of Government had been sufficiently vindicated, and that the time was come when an effort might be made to put an end to the cruel strife. Accordingly, on the twenty-ninth of June, he proclaimed an amnesty to all who, within fourteen days surrendered their arms, and took the oath of allegiance. Many availed themselves of this offer to abandon a desperate cause; but the greater number still stood out and dispersed themselves in small bands, which harassed the troops and rendered every man's house unsafe, although they were no longer formidable as a revolutionary insurrection.

Virulence of the Loyalists.

The policy of Lord Cornwallis was loudly resented by the loyalists, whose exasperated passions and raging thirst for revenge could be satiated with nothing less than the extermination of the Romanist party. One of the Viceroy's measures seemed indeed to go to the verge of moderation. The prisons were crowded with persons of various conditions, every one of whom was probably liable to the penalties

[e] *Annual Register*, vol. xl. p. 136.

of treason. With seventy-three of these men, the most active and intelligent of the rebel leaders, the Irish Government opened a communication; the result of which was, that the prisoners, in consideration of their lives being spared, and of the sentence of death which had been already passed upon Oliver Bond, one of their chiefs, being commuted to banishment, agreed to expatriate themselves and to make a full disclosure of the plot, with the exception of such information as would be evidence against any member of their body. The Protestants, who regarded the suppression of the revolt as the triumph of their party, did not suppress their indignant murmurs at a clemency which stinted them of their revenge. Even the Government at home thought Cornwallis had gone too far in treating with criminals on such easy terms; and Lord Grenville expressed an opinion that the Irish Government had become party to a misprision of treason in allowing the prisoners to withhold evidence against their accomplices.[f] This was to say that a felon who does not turn approver is guilty of misprision of felony; a doctrine which crown lawyers would have considered somewhat novel. But Cornwallis, fresh from the Government of India, and inured to habits of military command, seems to have cared as little for the opinion of the British

[f] *Courts and Cabinets of George III.*, vol. ii. p. 406.

Ch. 38. — 1798

Cabinet[g] on these questions, as for the opinion of the Orangemen of Armagh. His object was to restore the public peace as quickly as possible, and to give no triumph to either of the religious factions which distracted the country. Many of the state prisoners were sincere and honourable men, who, though repenting the excesses into which they had been hurried, and willing to repair the mischief they had caused, would have died rather than purchase their lives by the betrayal of their companions in guilt. What the Lord Lieutenant wanted was not blood, of which enough had been already shed, but information such as the chief actors in the rebellion could supply. Accordingly, among others, O'Connor, Emmett, Neilson, and M'Nevin, gave evidence before secret committees of the Irish Parliament, and furnished the materials for reports which gave an authentic summary of the origin and progress and character of the rebellion.[h] Bills of attainder were passed against Lord Edward Fitzgerald, Grogan and Bagenal Harvey; the two latter having been taken in arms and executed after the defeat and dispersion of the principal rebel force, called the Army of Wexford. After these proceedings, followed

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[g] Lord Grenville repeatedly complains that he was kept in ignorance of Irish affairs, and that he knew no more than he found in the *Gazette*.—*Courts and Cabinets of George III.*, vol. ii. p. 406.

[h] See Report of House of Commons, *Annual Register*, vol. xl. p. 265.

the amnesty, in accordance with the Lord Lieutensnt's proclamation. From this act of grace thirty persons only were excepted. These were persons who had fled the country, or who had been foremost in deeds of bloodshed and rapine.

Bonaparte's distrust of the Irish.

Some weeks after the rebellion had degenerated into a scattered and fugitive banditti, the French Government tardily yielded to the urgent representations of the Irish emissaries, and fitted out an expedition for a second attempt at invasion. Bonaparte, who knew the qualities of men, had little confidence in a cause which was represented by reckless and vaunting adventurers like the Napper Tandys, and the Wolfe Tones; and though well aware that Ireland was the vulnerable part of the British Isles, he waited for an assurance that the rebellion had substantial support, before he risked, for a second time, the success of a French enterprise upon Irish co-operation. Nor was he in any degree flattered by the servility with which the Irish revolutionists imitated the French revolution at the period of its greatest vigour. It was in vain that they burnt their enemies alive—that they tossed children upon pikes—that, in dealing with their prisoners at the camp of Vinegar Hill, they copied the precedent of the Abbaye—that they called each other citizens, and styled their Government a Directory. The proposal that the French Republic should aid their brethren in Ireland on the footing of equals and allies, was treated with almost open derision. The only

Ch. 38. — 1798

question with the Directory at Paris and their generals, was, whether the force which they had assigned for the conquest and annexation of the island, would meet with such efficient local aid as would make it worth their while to face the fleets and armies of Great Britain. Notwithstanding the hundred thousand pikemen, and the partial successes they had obtained in their encounters with the King's troops, they could not be counted on to support the veterans of Hoche. It is probable that the French would have made no attempt on Ireland at this time, but for the rashness of a subordinate officer who commanded a brigade of the army destined for the expedition to Ireland. General Humbert, who was quartered at Rochelle, ventured, as it appears, without orders, to embark his force, consisting of about a thousand men, in two frigates, and set sail for Ireland. He effected a landing at Killala, in the county of Mayo, on the 22nd of August; and having dispersed a corps of yeomanry which offered resistance, he marched to the town of Castlebar, where General Lake, the commander of the forces, was stationed, with three thousand men. Humbert, having left two hundred men at Killala, to keep open his communications with the sea, advanced with only eight hundred soldiers, and a rabble of about fifteen hundred Irish to attack the English general. His situation was so desperate, that his only alternative was to fight, or to surrender at discretion. In a regular campaign, a general in such circumstances as Hum-

bert found himself, would hardly have been justified in fighting a pitched battle against such odds. But the generals of the Revolution were not bred in the regular school of war, and Humbert determined to try his fortune. His little army, more than two-thirds of which consisted of irregulars, was threatened with annihilation by the well-appointed artillery of the English; but by a rapid movement on the flank, Humbert obtained an advantage, which decided the fortune of the day. The British force was thrown into disorder, a rout ensued, the broken battalions fled, many of the militia and yeomanry deserting to the enemy, and were pursued to the town of Athlone, a distance of seventy miles from the field.[1] The French then marched towards Sligo; but they were held in check by Colonel Vereker, with a detachment of less than three hundred militia, until Lord Cornwallis himself came up. The French general had advanced, in the hope that he would be joined by the country people; but the accessions to his ranks were few; and with thirty thousand men before him, he could neither advance nor retreat. Humbert, therefore, laid down his arms; but as he was in no condition to exact terms for his rebel auxiliaries, these people were pursued and put to the sword. Between eight and nine hundred French soldiers, including

[1] This battle was long known by the opprobrious designation of the Castlebar Races.

Ch. 38. officers, being the whole invading force, which had survived the short campaign, surrendered to the English general.

1798

Promptitude of Lord Cornwallis.

The promptitude of Lord Cornwallis prevented a revival of the insurrection in a more formidable shape. Three thousand rebels were already on their march to join Humbert, when they were intercepted by the English army. If the French general could have maintained his footing for a few weeks, he would have been supported by large reinforcements from France. As it was, the information of his success at Castlebar, determined the hesitation of the Directory, and a seventy-four gun ship, with eight frigates, conveying three thousand troops, was despatched, under the orders of Admiral Bompart, to the coast of Ireland. About a week after Humbert's corps had laid down their arms, a French brig landed a party on the island of Rutland, near the coast of Donegal. This detachment was under the command of Napper Tandy, who now bore a commission in the French service; but, on hearing of the fate of Humbert, Tandy re-embarked, and made his escape to Norway. On the 11th of October, Bompart's squadron was pursued by a portion of the channel fleet, of seven ships, under Sir John Borlase Warren. After a chase of twenty-four hours, in tempestuous weather, Warren came up with the enemy off Lough Swilly. The chase had been so severe, that the French ship of the line had carried away her mainmast. Bom-

part nevertheless immediately formed in line of battle, and, after a gallant defence of nearly four hours, the Frenchman struck. The frigates attempted to escape, but three of them were taken, after a short pursuit. Four more ships were fallen in with and taken, on subsequent days, by Captain Graham Moore, Captain Martin, and Captain Durham. Thus the whole of the French expedition, with the exception of one frigate and the brig which conveyed Napper Tandy, was captured. All the ships were heavily laden with troops, arms, stores, and ammunition. Among the prisoners was Wolfe Tone, who had taken the leading part in organising the United Irishmen, and was indeed the only man among the rebel leaders of any ability. Tone had taken no active part in the insurrection, having been absent from Ireland during the last four years, engaged in what may be termed the diplomatic service of the rebellion, in France and Holland. He was tried by martial law, illegally, as it seemed, his offence being treason, and condemned to death. He desired to be executed as a soldier, on the ground that he bore a commission as an officer in the French service; but this claim being disallowed, he anticipated the ignominious fate of a felon by committing suicide in prison.

Suppression of the Rebellion.

In the disaster of the French expedition, the last hopes of the rebellion were extinguished. The grievances of the Irish people were manifold; and it must be admitted that the prospect of redress-

Ch. 38. — 1798

ing those grievances by lawful means had nearly disappeared when the insurrection began. The release from civil incapacity of the Roman Catholic people which had been in progress since 1782, was to have been completed by the great measure of emancipation which was brought forward by Ireland's most honoured statesman, with the approval of the Irish Government in 1794. When this policy was suddenly and rudely reversed by the recall of Lord Fitzwilliam, the Catholics of Ireland felt that they must either submit to the denial of their political claims, or resort to those means of relief which the people in all ages have attempted under intolerable oppression and wrong. But the Catholics, if they rose, would have to encounter not only the British Government, but the fierce and resolute minority of their own countrymen, who were ready and willing to maintain Protestant ascendancy by the extermination, if possible, of the hated Romanists, who should attempt to resist it. They might, indeed join the revolutionary party, and possibly throw off the dominion of Great Britain; but this would be to exchange the dominion of heretic but monarchical England, for infidel and republican France. And even if Ireland were to establish her independence, the Catholic Church would still languish under the shade of a Protestant democracy.[k] The intelligent Catho-

[k] 'There are, in this country, two sets of men who are interested in promoting a change: the Catholics of the south, the known

lics, for the most part, held these opinions. A few days before the rebellion broke out, a paper was put forth with the signatures of the most eminent and respectable members of the Catholic body, exhorting their people to abstain from violence, and to relinquish treasonable engagements which would only bring ruin on themselves, and disgrace on their religion. Among the leaders of the insurrection, which included several gentlemen of family and fortune, no Catholic of note was to be found. Lord Edward Fitzgerald, Arthur O'Connor, Bagenal Harvey, Colclough, and Oliver Bond, were Protestants. Even the adventurers, Wolfe Tone and the brothers Sheares, who desired to revolutionize Ireland after the French model, if they belonged to any religious persuasion, were Protestants. Reynolds, the son of a bankrupt trader[1] in Dublin, was considered an important accession to the rebel Directory, because he was a Roman Catholic; but Reynolds, when he found that the views of the United Irishmen were not limited to reform, and the removal of religious distinctions, recoiled with horror from their plans of treason and revolution, and could find no rest until he had put the Government in possession of

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friends of monarchy; the Presbyterians of the north, the votaries of republicanism."—*Ponsonby's Speech on Parliamentary Reform.* —*Irish Debates*, vol. ii. p. 236.

[1] Reynolds was what was called a squireen; and, like most persons of that class, was in embarrassed circumstances.—*Life of Thomas Reynolds.*

Ch. 38. — 1798

the conspiracy against them. In the shallow counsels of the United Irishmen, the rebellion was to accomplish a great political revolution, and Ireland was to be an independent republic; but no sooner was the sword unsheathed, than the political character of the insurrection vanished into air; and the conflict degenerated into a provincial struggle between the rival religions and races, whose animosities had distracted the island since the time of Strongbow. The Catholic peasantry, led by priests, went out to meet Protestant yeomanry, who fought under the Orange banner, the latest of many emblems of the subjection of the Celtic race. The savage joy with which the peasantry of Leinster revelled in the unwonted luxury of English blood at Prosperous and at Wexford, was sweetened by the traditions of Tredah and Wexford, when Cromwell destroyed their forefathers like vermin a century and a half ago. A hundred years had nearly elapsed since the Irishry had swarmed from the cabins of Connaught and Munster to defend the cause of absolute monarchy against the revolutionary doctrines of limited and responsible power; and, again they had been crushed by the master race. But whether they fought in the name of absolute monarchy, or in the cause of simple democracy, it was still the rage of Papistry against Protestantism, of the Celt against the Saxon which animated these tumultuous ranks. Oliver, and William, and George, were all alike to the Whiteboys, and the

Defenders, and the Croppies, who knew no other cause than the cause of Popery and Irishry against the heretic and the foreigner. But they ever fought in a hopeless cause. Ireland, to be Catholic, must be independent of England; and she cannot be independent of England, while England herself is free. Even if the geographical position of the island left it possible that her independence, or her dependency on any other country but Great Britain could be compatible with the British empire, the Irish people themselves are perhaps the least qualified of any people in Europe for free institutions. They have not yet acquired the elements of political education, and appear to be as far as ever from learning the first maxim of good government, the separation of political affairs from spiritual control. While the English barons in Parliament assembled were waging war with prerogative, and winning the liberties of their country; while the English Commons were successfully asserting the great principles of representative government, the state of Ireland was much the same as that in which Britain was found by Severus, or the lieutenants of Claudius. The Celtic principalities of the Sister Isle had never been visited by those hardy missionaries from the *officina gentium*, who founded the Heptarchy, and substituted for a savage licence, the rudiments at least of political freedom. Barbarous England had undergone this wholesome invasion; and the Teutonic settlers had been, in their turn, invaded

Ch. 38. — 1798

by a superior tribe which, united with the vigour and enterprise of the north, a tincture of politeness and of the arts of civilized life, to which the Saxon race were strangers. The Norman conquest of Ireland was on too small a scale to effect the subjugation of the country; and the noble race which attempted to colonize Ireland, pined in provincial inactivity, or degenerated to the level of the slothful barbarians, with whom they mingled their blood. Then came the English of the pale, who occupied the Irish soil, as the English now occupy New Zealand. Yet the natives fared better under the Norman nobles, who treated them as barbarians, than under the Republican dispensation. Cromwell and his lieutenants, not satisfied with prosecuting a war of extermination against the unhappy people, drove the remnant whom the sword had spared to the savage rocks and mountains of Connaught; and forbade them to intrude on the more fertile and habitable portions of the island. More than five millions of acres of the best land were parcelled out among the puritanical adherents and the soldiers of the Commonwealth. Despised as an inferior race, and disqualified by their religion for the privileges of citizens, the Irish for six hundred years had been ruled by a government over which they had no more control, than the Hindoos or the Cingalese. Their virtues and failings were in an opposite direction to those which are found in people who flourish under free municipal institutions. Their failings were such

as are bred by oppression and the denial of political rights: dissimulation and falsehood, recklessness, indolence, want of self-reliance. Their virtues were religious reverence, courage, fidelity. But their religion was a blind superstition; their courage, for want of proper training and a just direction, became wanton and mischievous; their fidelity, like that of another branch of the Celtic family, consisted in a passionate attachment to the old territorial aristocracy. These are not the qualities which make good citizens or a great people; though they have made Irishmen, when removed from the depressing influences of their native soil, brilliant adventurers, eminently successful in civil affairs, and unrivalled in the field of war.

Union proposed.

No sooner had the rebellion been suppressed, than the Government proposed to the Parliament of each country, the union of Great Britain and Ireland under a common legislature. This was no new idea. It had frequently been in the minds of successive generations of statesmen on both sides of the Channel; but had not yet been seriously discussed, with a view to immediate action. Nothing could have been more safely predicted than that Ireland must, sooner or later, follow the precedent of Scotland, and yield her pretensions to a separate legislation. The measures of 1782, which appeared to establish the legislative independence of Ireland, really proved the vanity of such a pretension, and hastened the inevitable day

Ch. 38. — 1798

when the Parliament at Dublin must merge in the Imperial Parliament of Great Britain. So long as the Irish Chambers were content to leave the initiative of their legislation to the English Government, to submit to the supremacy of English law, and to a standing army, they differed little from the Provincial Parliaments of France, and might have prolonged their harmless existence for many a year; but when they broke loose from the law of Poynings, which kept them under the control of the Crown, and demanded the repeal of the declaratory act of George the First, which subjected them to the Parliament of England, and claimed the right of passing an annual Mutiny Act, which secured their independence, the relations between the two kingdoms were completely changed. Canada and Australia, separated from Great Britain by vast seas, are permitted the free exercise of legislative rights, because the connection of those great dependencies with the mother country is not necessary to her existence; but if Ireland, separated from Great Britain only by a narrow channel, was to be passing protective tariffs, while England was declaring free-trade; if Ireland was to admit universal suffrage and vote by ballot, while England was carefully guarding her parliamentary constitution from the inroads of democracy; if it was to depend on a vote of the House of Commons, in College Green, whether Ireland should contribute her quota of seaman and soldiers to a war with France or America, in which

Great Britain might be engaged; or, lastly, if the Parliament in Dublin was permitted to debate the question of independence, the integrity of the British empire would be destroyed. The measures of 1782, by which the English Government acknowledged the independence of the Irish Parliament, had not yet been fatal to the Irish Parliament, because its corruption rendered it wholly subservient to the dictation of the Crown.

On one occasion only, during the eighteen years of Irish independence, when the British Government was, for a moment, in abeyance, from the incapacity of the King, did the Irish Parliament act upon its own counsels; and on that occasion, it transferred the whole power of the Crown, without restriction or condition, to the Heir Apparent, while the Parliament of England had accompanied a similar offer, with restrictions and conditions of the most binding quality. Here was a signal proof, if proof were wanting, that a free Parliament in Ireland could not work harmoniously with a free Parliament in England. All the energies of the Irish patriots were, nevertheless directed to a state of affairs, which must bring about a collision fatal to the independence of the country. They demanded a reform of Parliament, which at present was a Parliament only in name, and the admission to civil privileges of the majority of the people of Ireland, who were kept without the pale of the constitution, as necessary parts of the policy of 1782. It was impossible to deny the justice of these

Ch. 38. — 1799

claims, and they had always been admitted by the Whig party on either side of the Channel. Lord Fitzwilliam would have carried these measures; and had he been permitted to pursue this honest policy, the rebellion would not have taken place. But though the rebellion would have been prevented, the day of reckoning between England and Ireland would only have been postponed; and it was better that the weaker country should at once be told that two sovereign Parliaments cannot exist in the same political sphere, than that another military conquest should complete the series of wars, in which Ireland has been crushed in the attempt to achieve her independence of Great Britain.

Opening of Parliament.

On the assembling of the British Parliament, at the commencement of the year, the question of the union was recommended by a message from the Crown; and the address, after some opposition, was carried without a division. Pitt, at this, the earliest stage, pronounced the decision, at which the Government had arrived, to be positive and irrevocable. 'I see the case so plainly,' said he, 'and I feel it so strongly, that there is no circumstance of apparent or probable difficulty, no apprehension of popularity, no fear of toil or labour that shall prevent me from using every exertion which remains in my power to accomplish the work that is now before us, and on which I am persuaded, depend the internal tranquillity of Ireland, the interest of the British empire at large,

and the happiness of a great portion of the habitable globe.

Lord Cornwallis also expressed his conviction that union was the only measure which could preserve the country.[m] The Chancellor Clare, the ablest of Irish statesmen, went over himself to urge upon the English Cabinet, that, unless the union could be effected, there was little hope of maintaining the connection.[n] No person of note in England, beyond the narrow circle of the regular Opposition, expressed any doubt as to the policy of the Union; but there was a very large party in both countries, who would not consent that the measure should be accompanied by any concessions of the Catholic claims.

Chancellor Clare.

The day before the intended Union was signified by a Royal message to the English Parliament, the Irish Houses assembled; and the Viceroy's speech, of course, contained a paragraph relative to the project. The House of Lords, completely under the control of the Castle, agreed to an address, in conformity with the speech, after a short and languid debate, by a large majority; but the Commons were violently agitated. A debate pitched in a tone of exaggerated sentiment and high-flown eloquence, was so much the ordinary key

Royal Message.

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[m] Lord Cornwallis to Mr. Pitt, July 20th, 1798.—*Cornwallis Correspondence*, vol. ii. p. 364.

[n] Lord Cornwallis to the Duke of Portland, Oct. 8, 1798.—*Cornwallis Correspondence*, vol. ii. p. 416.

Ch. 38 — 1799

of that assembly, that a temperate discussion of an important question would have been an extraordinary occurrence; but what was remarkable, and indeed, unprecedented, in the Irish House of Commons, was the result of the debate. An amendment to the address, pledging the House to maintain the Union, was lost by one vote, after the House had sat twenty-one hours;[o] but on the report, the amendment to omit the paragraph referring to the Union, was carried by a majority of four.[p] That a Government, in the height of its power, should be defeated and out-voted in a House of Parliament, the great majority of whose members were registered and priced in the minister's book, was one of those events which denote a crisis in the history of a nation.

Revival of agitation in Ireland.

The truth is, that the project of Union had, at first, attracted little attention; and many persons of mark had, at first, yielded a half assent to a proposal of the Government which they did not believe to be seriously entertained. The Irish people, with habitual indolence and procrastination, troubled themselves little about a measure which was not of immediate moment. But when it was understood that the Government was in earnest, and that the Union was to be recommended from the Throne to the Parliaments of

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[o] The numbers were 105 to 106. Nearly one-third of the members absented themselves from the division.

[p] 109 to 105.

both countries, there was little difficulty in alarming a people, among whom the machinery of political agitation had, for some years, been extensively organised. The bar of Dublin took the lead, and it at once became evident that the policy of the Government had effected a union among Irishmen far more formidable than that which all the efforts of sedition had been able to accomplish. The meeting of the bar included, not merely men of different religious persuasions, but what was of more importance in Ireland, men of different sides in politics. Saurin, the leader of the Four Courts, a Protestant and a Tory, who subsequently became Attorney-General, summoned the meeting, in his character of Captain of the Lawyer's Corps of Yeomanry, and was with difficulty dissuaded from attending in uniform.[q] Nearly the whole body assembled, and by a majority of five to one,[r] agreed to a resolution condemning the project of a legislative union between the two countries. In the majority, besides Saurin, were Plunket, Bushe, and Joy, with other eminent men; the minority contained hardly a name of any reputation; yet almost every one of these latter was afterwards rewarded for his service on that day by promotion to a minor office of the law. It was said, and probably with truth, that the leaders of

[q] Mr. Cooke (Under-Secretary of State) to Lord Castlereagh, Nov. 8, 1798.—*Memoirs of Lord Castlereagh*, vol. i. p. 427.

[r] 166 to 32.

Ch. 38. 1799

the bar were opposed to the Union, because attendance in Parliament, and the regular practice of their profession, would no longer be compatible, if the seat of legislation was transferred to London. But, however conclusive the argument in favour of Union may appear to Englishmen, it was difficult for an Irishman to regard the Union in any other view than as a measure to deprive his country of her independent constitution, and to extinguish her national existence. Mr. Foster, the speaker, took this view. It could hardly, indeed, have been otherwise. He was the last person who could consent to the final dissolution of that assembly, which had elected him as their chief. The speaker's adhesion, however, was so important that every effort was made to conciliate him. He went to England, and had several interviews with Pitt. He was assured of high advancement under the new system, and might, indeed, have named his terms; but Foster, though hitherto a firm friend of the Government, under which he had, at one time, held high office, proved incorruptible. He returned to Ireland the declared inveterate enemy of the Union, and was at once acknowledged the leader of the national party. Sir John Parnell, the Chancellor of the Exchequer followed the Speaker. Mr. Fitzgerald, the Prime Serjeant, a law officer of the Crown, was on the same side. Ponsonby, the leader of the Whigs, was vehement against the scheme; so was Grattan; so was Curran. Great efforts were made, by the

Government, to quiet the Protestants, and to engage the Catholics to support the Union. These efforts were so far successful that most of the Orange lodges were persuaded to refrain from expressing any opinion on the subject. The Catholic hierarchy were conciliated by the promise of a provision for the clergy, and of an adjustment of the tithe question. Hopes were held out, if promises were not actually made, to the Catholic community, that their civil disabilities would be removed. The Catholics, as a body, therefore, were not indisposed to the project of the English Government; and even if no prospect had been held out to them, that their particular grievances would be redressed, it was not to be expected that the Catholic body should feel much interested in the maintenance of a constitution, from the benefits of which they were hopelessly excluded. The people of Ireland in general, so far as they entertained any opinion or feeling in the matter, regarded their native legislation with the contempt which it deserved. Nevertheless, the opposition with which the Government had to deal, was formidable enough to deter any Government from persisting in a measure, even of the first importance; for the Opposition combined all that was corrupt, with the little that was public spirited, in this unhappy country. But Pitt had made up his mind to carry a measure which he considered important, if not essential, to the integrity of the empire; a mea-

Ch. 38. — 1799

sure, too, which he had contemplated long before the recent disturbances,[8] and to which no time seemed so favourable as the present.

Address to the Crown.

If the Union was to be accomplished by constitutional means, it could be effected only by a vote of the Irish Parliament, concurring with a vote of the English Parliament; and if the Irish assembly were to pronounce an unbiassed judgment on the question of its extinction, it is certain that a very small minority, possibly not a single vote, would be found to support the measure. All the influence of the Government had failed as yet to incline the House of Commons to listen to the proposal. The vote on the Address was followed, in a few days, by an address to the Crown, in which the Commons pledged themselves to maintain the constitution of 1782. The majority in favour of national independence had already increased from five to twenty, the ministerial members remaining the same, and corresponding almost exactly with the placemen and pensioners in the House.

The votes of the Irish Commons had disposed of the question for the current session; but preparations were immediately made for its future passage through the Irish Houses. The foremost men in Ireland—men whose abilities would have raised them to eminence in any country, whose eloquence would have moved any assembly, ancient or modern, and whose patriotism was

[8] In 1795.—*Personal Recollections of Lord Cloncurry*, p. 38.

sincere — had first been tempted, but had indignantly refused every offer to betray the independence of their country. Another class of leading persons[t] was then tried, and from these, for the most part, evasive answers were received. The Minister understood the meaning of these dubious utterances. There was one mode of carrying the Union, and one mode only. Bribery of every kind must be employed without hesitation and without stint.

The plan of Parliamentary Reform which Mr. Pitt proposed at the outset of his administration was founded on a recognition of the claims of the borough owners, and contained provisions for the compensation of those claims. If such an arrangement was just and expedient with regard to the reform of the English Parliament, it was surely not less just and expedient with a view to the extinction of the Irish Parliament. But this mode of meeting the difficulties of the representation, though it might have been justified by necessity, could not for a moment stand the test of argument;

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[t] Those who are called principal persons here, are men who have been raised into consequence only by having the entire disposal of the patronage of the Crown, in return for their undertaking the management of the country; because the Lord Lieutenants were too idle or too incapable to manage it themselves. They are detested by everybody but their immediate followers, and have no influence but what is founded on the grossest corruption.' Marquis Cornwallis to General Ross, Nov. 23, 1798.— *Cornwallis Correspondence*, vol. ii. p. 442.

Ch. 38. — 1799

and Pitt probably was in no mind to revive the crude idea of his youth. The force of public opinion in 1832 swept away the great obstacle to Parliamentary Reform; but the public opinion of Ireland in 1799, could not be appealed to for the abolition of the Irish legislature. Yet if it was considered unreasonable or hopeless to expect that the owners of Gatton and Old Sarum should relinquish their vested interests in the abuse and decay of the representative system without an equivalent, it was at least as unjust and unreasonable to expect that the owners of the Ballyshannons and the Banaghers should offer up their rotten boroughs, not for the purpose of restoring and invigorating the Parliamentary system, but as sacrifices to the common ruin. There could be no comparison between the importance of a seat in the British House of Commons, and a seat in a provincial assembly, which had more resemblance to a municipal council than to an imperial Parliament; yet the value of borough property in Ireland was equal to that of the same description of property in England. There have always been men willing to spend two or three thousand pounds for a seat, or even the attempt to obtain a seat, in the English House; and these candidates have been as often actuated by their estimate of the social position which a seat in Parliament confers, as by the hope of advancing their fortunes. But when an Irish gentleman gave twenty thousand pounds for a borough, or

when an Irish adventurer hired a seat for two thousand pounds, he invested his money in a speculation from which he had reason to expect a safe return. The commoner wanted a peerage; he had two votes at the service of the Minister, and Irish peerages were held in higher estimation by Irish commoners than by the British Minister. Pitt was always more willing to reward a political friend with a title than with a place; and he lavished Irish peerages with the profusion of contempt. He sometimes gave these titles to persons who would now be considered sufficiently honoured by knighthood, and on one occasion was only restrained by the indignant remonstrance of the Lord Lieutenant from making a London stock-jobber an Irish peer.[u] The offices and sinecures on the Irish establishment were a proverb and a scandal; but as every member of the Irish House of Commons who gave a vote to the Government expected to be paid for it, the offices and sinecures, numerous as they were, proved insufficient to satisfy the claims of members of Parliament, their families and followers; and a pension list of eight thousand pounds a-year afforded temporary relief to a parliamentary supporter until his services could be rewarded with a more adequate provision.

Such was the Parliament by whose vote the British Minister was to effect the legislative union of the two countries. And, in the first place, he

[u] Duke of Rutland to Mr. Pitt, 1786.—*Bolton* MSS.

Ch. 38. 1799

made it understood that while willing to traffic in votes after the fashion of the Walpoles, the Pelhams, and the Foxes, he would not tolerate the patriotism of persons already in the receipt of public money. Accordingly, Sir John Parnell, the Chancellor of the Exchequer, and Mr. Fitzgerald, the Prime Sergeant, who had voted on the amendment to the address, were peremptorily dismissed. It was hoped that these examples might act as a warning to men like the Speaker, and Mr. John Claudius Beresford, whom the Government hardly ventured to attack, as well as to the numerous stipendiaries of the Crown, with respect to whom they were unwilling to pursue the relentless policy by which the elder Fox had terrified the opponents of the peace of Paris in 1763.[x]

Duke of Portland's instructions.

The Duke of Portland, having officially instructed Lord Cornwallis to make known the fixed determination of the ministry to carry the measure of the Union, and that the conduct of individuals upon the subject would be considered as the test of their disposition to support the King's Government,[y] the Castle of Dublin soon became a mart for Parliamentary traffic, more extensive than had hitherto been known in Ireland or in England during the most critical period of the Hanover

[x] Mr. Beresford resigned his sinecure place. The Speaker's son was subsequently deprived of his office by the express desire of Mr. Pitt.—*Cornwallis Correspondence*, vol. iii. p. 55.

[y] Dec. 21, 1798.—*Cornwallis Correspondence*, vol. iii. p. 20.

succession. It was not merely a trade in votes, but the purchase of the fee simple of corruption which the Irish Government was to undertake. Cornwallis had seen too much of courts and camps to be shocked by the selfishness and baseness which a long experience of public life reveals. In America he had seen armies led to destruction by men of fashion, and an empire lost through the influence of the back stairs. In India, he must have seen enough to lower his estimate of public virtue; but the experience of Asia and America had not prepared the able statesman and soldier for the universal dishonesty and the clamorous corruption which he encountered in Ireland. Lord Cornwallis's correspondence, both official and private, during the whole period of his vice-royalty, describes Ireland as a land of jobs, the upper classes hopelessly corrupt, and the lower orders of people animated with an impartial hatred to the English Government and their native rulers. The only class of which he speaks in terms of qualified commendation were the Roman Catholic hierarchy; and, for the most part, the noblemen and gentlemen of that persuasion. Long schooled in political adversity, these persons had learned to be moderate in their demands, and, excluded from all share in the public pillage, they were necessarily free from personal corruption.

Ch. 38. — 1799

Lord Cornwallis, therefore, addressed himself with a dogged disgust to the odious duties which the determination of the English Government had

Ch. 38. — 1799

imposed upon him. His business lay chiefly among the political leaders, who were to be gained over by peerages and the higher description of patronage. But there was other work of a lower kind, to which the lord lieutenant neither could nor would put his hand. Members of the House of Commons were to be privately convinced by arguments more conclusive than those of the ministerial orators; persons of influence out of doors were to be treated with; the press was to be bought. This business, to be done effectually, must be under the immediate superintendence and direction of a person of sufficient power and station to have credit and authority, but not so highly placed as to be inaccessible to the meaner agents of corruption. In those days, there would have been little difficulty in finding among the holders of subordinate offices, in either island, an able and ambitious man, who would consider it a high responsibility, and a certain step towards advancement, to be charged with a secret service of this description. The Lord Lieutenant was so fortunate as to find in a young nobleman who had recently been appointed to the principal office in his Government, a person eminently qualified for the peculiar duties which, at this juncture, the Chief-Secretary was required to perform. Viscount Castlereagh was the son of an Irish gentleman who had been recently ennobled; he had been educated in Ireland, and had taken his seat in the Irish House of Commons when he became of age. Lord Castlereagh, during the earlier

years of his parliamentary life had acted with the opposition; but during the administration of Lord Camden, to whom he was related by a family connection, he accepted a small office, and during the absence of Mr. Pelham, the Chief-Secretary, Castlereagh was appointed to perform the duties of the office. The rebellion which soon after broke out, afforded full scope for his energy and ability. The harsh measures which were adopted by the Lord Lieutenant were attributed to the advice of his young kinsman; and when Camden quitted Ireland, his successor continued the temporary arrangement of the Secretary's office. When Pelham finally resigned, in November, 1798, Lord Cornwallis endeavoured to obtain the services of Mr. Thomas Grenville,[z] who had declined the office when it had been pressed upon him by Lord Fitzwilliam, in 1794. Grenville still persisting in his refusal to connect himself with a branch of administration so little coveted as that of Ireland, several other names were mentioned, and ultimately, though not without misgiving on the part of the Home Government as to his capacity for an office which had now become so arduous, Castlereagh was appointed. At this time he was in his thirtieth year.

It was a traditional rule of the home Government that no Irishman should be appointed chief secretary to the Lord Lieutenant; and Cornwallis

[z] Lord Grenville to Marquis of Buckingham.—*Courts and Cabinets of George III.* vol. ii. p. 410.

Ch. 38. — 1799

had sought to remove this objection which had been urged against Castlereagh, by assuring the Duke of Portland that his young friend was so unlike an Irishman, that an exception ought to be made in his favour. It is not easy to understand the policy which pronounced an Irishman disqualified for the principal office of business in the Irish Government. The invariable practice of sending over an Englishman to act as Minister for Ireland, and to take the lead of the Irish House of Commons, always ranked among the principal grievances of the country; and as the English Secretary was usually a second-rate politician, and an indifferent speaker, his position in the Irish House, which generally included men of great oratorical power, was often humiliating, and sometimes ridiculous. In the succession of secretaries to the Lord Lieutenant since Addison had gone over with Wharton, there had been none superior to Castlereagh in political ability and aptitude for affairs. Independently of his personal qualifications, it cannot be questioned that his position as an Irishman of rank and fortune, together with the knowledge of his countrymen, which he had acquired by having lived among them from his earliest years, gave him advantages in negotiating a local question of unprecedented magnitude and difficulty, which no Englishman could have possessed.

One of the earliest acts of Lord Castlereagh was to draw upon the secret service fund for five

thousand pounds.[z] This instalment, which was readily furnished from the Secretary of State's office, was employed principally in engaging young barristers of the Four Courts to write for the Union. After the failure of the measure in the House of Commons, Lord Castlereagh was convinced that it could be carried only by bribery admitted on a large and systematic scale;[a] and this view of the question was kept before the English Government in every despatch sent from the Castle from the beginning of 1799, until the bill was passed in June, 1800. Accordingly, the chief secretary drew up a scheme by which, under the name of compensation, a million and a half of money was to be distributed among borough proprietors, part owners of counties, lessees of seats, and barristers who had entered the House of Commons to advance their professional fortunes. This latter class consisted of fifty members. The plan also included an arrangement by which occupiers and owners of houses in Dublin, where hostility to the Union was most prevalent, should receive an equivalent for the estimated depreciation of their property.[b] The English Government were at first startled by the proposal to carry the Union by the simple expedient of buying

[z] Lord Castlereagh to Mr. Wickham, Under Secretary for the Home Department, Jan. 2, 1799. — *Cornwallis Correspondence*, vol. iii. p. 27.

[a] *Castlereagh Correspondence*, vol. iii. p. 330.

[b] *Memoirs of Viscount Castlereagh*, vol. 2. p. 149.

Ch. 38. — 1799

up the House of Commons. But the recognition of property in the close boroughs having formed the basis of the Parliamentary Reform originally proposed by Pitt, no objection was raised on principle to that part of Castlereagh's plan. It was determined that the county representation should not be curtailed; and thus the difficulty of adjusting compensation in the numerous cases in which the two county seats were divided between two or more predominant interests was avoided. The claims of lawyers and other adventurers who speculated in seats were peremptorily rejected. The tradesmen and householders of the capital were to be conciliated as much as possible: but, at the same time, to be distinctly informed that their particular interests would not be suffered to impede the progress of the Union. Dublin was, however, to return two members to the Imperial Parliament.

Resolutions moved by Pitt.

A week after the Irish House had refused to entertain the question, the English minister moved a series of resolutions, embodying the principal provisions of the intended Union. In opening this, certainly the greatest and most enduring measure of his administration, Pitt delivered one of those complete arguments which, in the judgment of men of sense and candour, determine the merits of a great question. There were, probably, few members of the British Parliament who cared more for the proceedings of the Irish Parliament than for those of a provincial vestry, or whose

information about Irish manners and politics was much more accurate than that of an ordinary Frenchman about this country at the present day. That Ireland was very like a froward child, over which the parent country must hold a strict hand; that the Irish House of Commons was a mere debating club, capable only of cultivating flowery oratory; that the Irish gentry were a race of spendthrifts and fortune-hunters; and that the Irish people were hardly a remove from savages, were common articles of belief throughout the mass of English society. The promulgation of a United Kingdom of Great Britain and Ireland, excited an interest among the British public less lively than the announcement of legislative institutions for a new colony, or the annexation of an Indian province, would cause at the present day. Pitt's speech, though ten thousand copies of it were circulated, by authority, throughout Ireland, was, in fact, much more calculated to satisfy the English nation, that the Union would be advantageous to them, than to reconcile the Irish people to the loss of their native legislature. The minister proved, from recent events, what, indeed, was almost demonstrable, from the physical relation of the two islands, that their close connection was essential to the welfare of both; in other words, that the control of Great Britain over Ireland was necessary to the independence of the more powerful kingdom. He shewed that this connection could be secured only by means of a common

Ch. 38. 1799

legislature; and he was aided by a willing audience, when he proceeded to argue, that the final settlement of 1782, by which the legislative independence of Ireland was recognised, was not inconsistent with a plan for absorbing the Irish legislature into the Imperial Parliament. Such a proposition was, indeed, wholly untenable; but the great orator relied, with more security, on the illustrations by which he supported his main argument, that there could be no real or safe connection between the two countries, on a footing of equality and independence. The remarkable case of the Regency, in 1788, when the two legislatures differed as to powers conferred upon the Regent, was, of course, cited. Suppose the independent Parliaments to have gone a step farther, and to have differed as to the person who should exercise the power of the sovereign? Suppose the Commons of England supporting the Crown in a just and necessary war, and the Commons of Ireland disapproving of the war, and refusing supplies? Was such a state of things to be tolerated? Ought the possibility of a collision, tending to anarchy, to exist? Could there be one executive in England and another executive in Ireland? Was England to be at war, and Ireland to be at peace? The settlement of 1782, so far from being final, was in its very nature finite. Ireland might have a vestry, but she could not have a Parliament. If the two kingdoms were to remain united under one Crown, they must be

united under one legislature. Not content with establishing the necessity of Union on such high constitutional ground, Mr. Pitt went on to shew, what might have been more debateable, the incompetency of an Irish Parliament to deal with Irish questions. The Catholic question, the tithe question, he maintained, were more likely to attain a satisfactory settlement in a united Parliament than in an assembly distracted by local jealousies and provincial faction. The Catholics, he said, could not receive the full measure of their political claims under a separate legislature. Such a concession could not be granted to a body, which formed the great majority of the inhabitants, without transferring to that class a preponderating influence, which would shake the constitution of Ireland to its centre.[c]

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[c] Mr. Pitt should have thought of this before he suffered Lord Fitzwilliam to amuse the Irish Catholics with the hope of emancipation. Lord Fitzwilliam fancied that he was recalled for having dismissed Mr. Beresford; but he was recalled when it became apparent that his intention was to turn out all the old Protestant party, and to fill their places with the friends of Catholic emancipation. See a letter from Pitt to Lord Westmorland, 19th November, 1794, in Lord STANHOPE'S recently published '*Miscellanies*,' p. 14. Lord Clare, as well as Beresford, went over to England, for the purpose of procuring the removal of Fitzwilliam; and it was probably owing to the representations of Clare, rather than to those of Beresford, that the Cabinet as well as the King took the alarm. Clare was by far the ablest of the old ruling party in Ireland, and the only Irish minister to whom Pitt listened. It will be recollected that the one point upon which Pitt was inflexible when Fitzwilliam went to Ireland was that the Great Seal should not be disturbed. It was Lord Clare who,

Ch. 38. — 1799

Mr. Pitt then disposed of another point which had been lightly touched by the English opposition, but had been gravely insisted upon as an insuperable obstacle by the lawyers and patriots of the Irish Parliament. This was the incompetency of that Parliament to annihilate itself, and to transfer its functions to a foreign legislature. Pitt contented himself with meeting the more limited objection which had been raised in the debate on the King's message, recommending the Union. On that occasion, Sheridan, who took the leading part, questioned only the competency of the Irish Parliament to entertain the question without a special appeal to their constituents. This was the proper place for one of those rhetorical invectives against democracy, from which hardly any of Pitt's great orations, for the last ten years, had been free, but which the House was never weary of applauding. He denounced the doctrine that the representative body could not entertain a new question without returning to its constituents as a dangerous innovation, sprung from the theory of the sovereignty of the people, the favourite delusion by which Jacobites and Revolutionists misled the understandings, and inflamed the

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through the medium of the English Chancellor, Loughborough, possessed the King's mind with the idea of the coronation oath; and it is remarkable, that when important concessions were first made to the Catholics of Ireland, in 1793, Fitzgibbon used substantially the same language, as to the danger of Catholic supremacy, which Pitt uttered in the speech on the Union Resolutions.

passions, of the populace. None will dispute Mr. Pitt's position, that every political system must contain somewhere an absolute, unlimited power; nor that, in our system, this power is to be found in Parliament. But the wisdom of modern times, when Parliament is a far better representative of the country than it was in Pitt's days, avoids a strain even upon this, the strongest part of the constitution; and practically no change of policy takes place, and seldom is any capital measure adopted without the immediate sanction of the constituent body.[d]

Another objection raised to the great policy of the Government, was one, said the Minister, entitled to respect on account of the generous source from which it sprang. It had been urged that this was a case in which a nation was called

[d] This change in Constitutional practice, is one of the most remarkable consequences of the Reform Act. Under the system of close boroughs, and the franchise so irregularly distributed, that in some places it was so limited as to afford no scope to the sense of the inhabitants, in others so widely diffused as to drown their sense in profligacy and clamour, it was idle to appeal to the electoral body for an authentic expression of public opinion. It was only when the current set violently in one direction, as in 1784, that a Minister could resort to a dissolution, for the purpose of determining a policy or settling a party question. Before the Reform Act, a Parliament generally lived through the term of its legal existence. During the thirty years that have elapsed since the Reform Act there have been eight Parliaments and eleven Administrations, of which the fates of six were determined by appeals to the constituencies. In this manner, the national will is more distinctly imposed upon the Councils of the State, than if a general election was a matter of annual routine.

Ch. 38. — 1799

upon to surrender its independence, and that no consideration of material benefit could be allowed to compensate for a sacrifice so ignominious. But if this principle had prevailed, Europe would still be distracted by the barbarous strife of petty states. And as the doctrine of the sovereignty of the people struck at the stability of all Government, so this extreme idea of independence would ever have prevented the consolidation of an empire, and finally sent mankind back to the state of nature. Mr. Pitt treated this topic in his finest manner. It was not, he said, a proposal for subjecting Ireland to a foreign yoke, but rather the free and voluntary association of two great countries, which join, for their common benefit, in one empire, when each will retain its proportional weight and importance under the security of equal laws, reciprocal affection, and inseparable interests, and which want nothing but indissoluble connection to render both invincible.

He concluded by moving a series of resolutions, affirming the expediency of a union between the two kingdoms for the benefit of both, and for the consolidation of the monarchy. The principal articles recommended an equality of trade between the two countries, that the Union should comprise Church as well as State, that the public charge should be distributed in such proportions as should be settled by the Parliament of each country before the Union; that the proportion of Irish members which were to sit in the united Parliament should

be determined in like manner, and that the oaths and declarations to be required from the members of the united Parliament would remain unchanged until the said Parliament *should otherwise provide.* The last words were inserted for the purpose of satisfying the Catholics that the question of their emancipation from political disability was to be kept open.

Long debates and several divisions took place on the different questions which the forms of the House required or permitted, before the resolutions were agreed to. The opposition contended that the proposal of the Government was in violation of the settlement of 1782, the only question then reserved being the question of trade, which Mr. Pitt himself had endeavoured to settle by his commercial propositions in 1786; that Ireland had proved her readiness and ability to provide for her own defence against foreign aggression by the army of volunteers which she had raised when England was unable to afford her assistance; that the remedy for Irish misgovernment was the reform, and not the abolition, of her Parliament; and that the certain consequence of a legislative union would be the impoverishment of the country by the desertion of its principal landholders. The Speaker on this occasion laid aside the dignified reserve which keeps the Chair apart from the conflict of party; in committee he supported the resolution in a long and elaborate argument; nor on a high constitutional question like this was it

Ch. 38. — 1799

unbecoming that the first commoner should pronounce a matured opinion; and possibly Mr. Addington might have been moved by the consideration that his Irish brother had taken the leading part on the other side. The resolutions were carried by large majorities in thin houses. One hundred and seventy-three was however the highest number that divided on a question which concerned the consolidation, if not the integrity, of the empire. Never had so much apparent indifference been exhibited on a question of capital importance. In truth, the absence of members was attributable rather to distaste than indifference. The Union was reluctantly assented to by many as an unavoidable necessity; and others who were not convinced by the arguments of the Minister, yielded from habit to his will. The county members, and the fine gentlemen of the House, were somewhat dismayed at the prospect of an irruption of representatives from Connaught and Munster. The roof of St. Stephen's would be rent with unaccustomed eloquence; for the dialect of Kerry and Tipperary had hardly yet been heard within those walls. The genius of Burke himself had never overcome the remains of the Celtic brogue. Still it was better that a hundred Irish gentlemen should enter the House of Commons, than that a French Directory should sit at the Castle of Dublin, or a French fleet ride in the harbour of Cork.

On the other side of the Channel every effort

was made to avert the odious Union. After the adverse vote on the Address, a Regency Bill was brought in by Mr. Fitzgerald, who had been dismissed from his office of Prime Sergeant as one of the most prominent opponents of the Union. It was proposed by this measure to obviate one of the most practical objections which had been made to the legislative separation of the two countries. The Government could not in decency oppose a bill brought in for the express purpose of removing an anomaly which had been referred to as a justification of their great measure; but it was not the less certain that the bill would not be suffered to pass. The bill was indeed framed so imperfectly that it appeared to have been merely put together as a convenient ground-work for an attack upon the policy of the Government, and never intended as a remedy for a particular defect. Foster, the Speaker, availed himself of the committee on the Bill to deliver a carefully prepared reply to the speech of Mr. Pitt. It was not a very successful performance, even in the opinion of its partial hearers. It was no answer to such a speech to call it a "paltry performance," and to denounce Pitt "as the worst Minister the Irish nation ever heard of." The speaker was answered by Lord Castlereagh. The debate, which was long and vehement, turned almost wholly on the all-absorbing question of the Union. The Regency Bill, it was found, could not by any ingenuity be so

Ch. 38. — 1799

framed as to provide for harmony of action between the two Parliaments on a point which did not conveniently admit of a different opinion. And as the imperial Parliament would certainly not consult a provincial Parliament in making an arrangement for the exercise of the executive power, it followed that the inferior assembly must, if intolerable confusion was to be avoided, submit implicitly to the dictation of the greater. But no security could be given for such acquiescence without infringing on that absolute legislative independence for which Irish patriotism contended. When the report of the Committee on the Bill was brought up, Lord Castlereagh therefore moved that the consideration be postponed to a day when the House would not be in Session; and his motion was agreed to without a dissenting voice.

Irish Houses prorogued.

The Irish Houses were shortly afterwards prorogued; but not before they had, at the instance of the Government, and without opposition, passed a bill, which is in itself sufficient to load the memory of the last Irish Parliament with execration and contempt.

In the previous year an act had been passed for the protection of magistrates and other persons in authority, who, in the vigorous discharge of their duty in the suppression of the rebellion, might have overstepped the law. During a state of rebellion, it may be necessary to commit acts of power, such as arresting suspected persons, entering houses, impressing cattle; and it is not

unreasonable that public servants, who have committed such irregularities, at a time when there is an insurrection against law and order, should be protected against vexatious litigation. The act of the Irish Parliament was framed upon the model of an act passed by the English Parliament, after the rising of the Jacobites in 1715. But an indemnity, which was sufficient for the protection of persons who had been compelled by the sudden exigencies of the public service, to act, in some instances, without warrant of authority, but who would have been perfectly justified in what they did, had they proceeded in due form of law, proved wholly inadequate to protect the agents of a Government, which permitted a rebellion to be dealt with by means wholly unknown to the law. I have already related how the miserable peasantry were scourged, picketed, and half strangled to extort information as to concealed arms and united Irishmen. After the rebellion had been suppressed, some persons, in a higher walk of life, who had been subjected to this treatment, resolved to try the question whether it was intended, by the Act of Indemnity, to sanction the application of torture to a subject of the Crown of England. And that the experiment might be fairly tried, proceedings were taken, not against a yeomanry trooper, or a petty justice, who might have been disavowed, but against an executive officer of the highest rank and responsibility in his district.

Ch. 38. — 1799

The county of Tipperary, which has since attained an ill reputation, was not much disturbed by the rebellion. Colonel Bagwell, one of the members for the county, and Mr. Hely Hutchinson, brother of the Earl of Donoughmore, one of the principal resident landlords, declared in their places, in the House of Commons, that the county was almost free from disturbance. It is admitted, by a strong partisan writer,[e] that a respectable minority of the magistrates and gentlemen of the county were of the same opinion; but the majority of the landowners, either stricken by the terror of which meanness and cruelty are susceptible, or anticipating the rising of the people to revenge the cruelty and contumely to which their race and creed had long been subjected, thought fit to take such measures of prevention as their nature dictated. For their purpose, they had recourse to a small proprietor near Thurles, Thomas Judkin Fitzgerald, a man who was known to be capable of any degree of violence which could be expected from an ignorant, ferocious partisan; and this man they procured to be appointed high sheriff. Fitzgerald, eager to justify the confidence of his employers, and willing, no doubt, to earn the pay with which successful vigour would be rewarded by the frightened and distracted Government,[f]

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[e] Sir Richard Musgrave—*Hist. Rebel.*

[f] This applies to Lord Camden's Government and all the Irish officials at the Castle, except the Chancellor.

soon signalized his zeal. His plan was to seize persons whom he chose to suspect, often without the slightest ground, if not from sheer malice, and by dint of the lash, and threats of instant death, to extort confessions of guilt, and accusations of other persons.[g] So abject was the terror of the peasantry, abandoned as they were to the inhuman tyranny of this miscreant, that at his approach, they fell on their knees before him. But this cruel persecution was not confined to the lower orders. Confident in impunity, Fitzgerald had the insolence to assail persons in a higher rank of life. Indeed, it is owing to this circumstance, that the name of Judkin Fitzgerald has acquired a particular infamy. Had he merely tortured peasants, this man would have been hardly distinguished from the herd of petty Irish gentry who had, for generations, abused the poor, and whose habitual outrages on decency and humanity were the primary, and to a great extent, the proximate cause, if not the justification, of the

[g] When General Sir John Moore on the march from Fermoy, entered the town of Clogheen, he saw with disgust a man tied up in the street, and under the lash, while the street itself was lined with country people on their knees, with their hats off; nor was that disgust repressed when he was informed that the High Sheriff, Mr. Fitzgerald, was making great discoveries, and that he had already flogged the truth out of many respectable persons. His rule was to flog each person till he told the truth.—*Castlereagh Correspondence*, vol. ii. p. 280, note. Sir R. Musgrave also mentions, with approbation, that Fitzgerald made the people prostrate themselves before him.—*Hist. Rebellion*, Appendix x.

Ch. 38. — 1799

rebellion. But, in reviewing the acts of the last Irish Parliament, we find its special protection extended to proceedings, such as are now to be described.

At the Tipperary Spring Assizes of 1799, one Wright brought an action of trespass against Fitzgerald, the late sheriff. The plaintiff was a teacher of languages at Clonmel, but connected by kindred with more than one Irish family of rank. Wright, hearing that he was suspected, and knowing the fearful consequences of suspicion, hastened to deliver himself up, in the hope that he might thus save his character and life. But Fitzgerald was not to be disappointed of his victim. He received Mr. Wright with a torrent of abuse, and ordered him to fall on his knees *to receive his sentence.* 'You are a rebel,' said he, 'and a principal in this rebellion. You are to receive five hundred lashes, and then to be shot.' The poor man begged for time, and was so rash as to ask for a trial. This aroused Fitzgerald to fury; he railed at his prisoner for daring to open his mouth after he was condemned. Wright was hurried to the flogging ladders, which were erected in the main street; and expecting immediate death, had placed his hat before his face while he muttered a prayer. Fitzgerald, with his own hand, tore away the hat, trampled on it, dragged his fainting victim by the hair, kicked him, and, finally, slashed him with a sword, drawing blood. Wright was then fastened to the ladder. Fifty lashes

had been inflicted, when a Major Riall came up, and asked what Wright had done? The sheriff answered by flinging Riall a note, taken from the person of Wright, as a justification of the punishment to which he was subjected. The note was in French, a language of which Fitzgerald was wholly ignorant, and contained two lines excusing the writer for having failed in a visiting engagement. Riall assured Fitzgerald that the note was perfectly harmless; nevertheless the lash continued to descend, until the quivering entrails were visible through the flayed flesh. The hangman was then ordered to apply his thongs to a part of the body which had not yet been torn, while the sheriff himself went to the general in command of the district for an order to put his prisoner to death. This order, however, was not granted, and Wright was ultimately set at liberty.

Ch. 38. 1799

Trial of Fitzgerald

These facts were proved on the trial of Wright's action. The defendant attempted to justify himself by calling one of his followers to swear that the plaintiff had acknowledged his guilt in a written paper which he gave to the witness, and which the witness had given to the defendant. The judge called for the production of this paper. The defendant refused to produce it on the impudent pretence that it contained secrets of state. The trial would not have been complete, had not an Orange parson been called on the part of the defendant to swear that this notorious bloodshedder, who throughout Ireland was called

Ch. 38. — 1799

'flogging Fitzgerald,' was a mild and humane man. Fitzgerald conducted his own defence, with matchless effrontery. He avowed and gloried in the system of terror which he had pursued; maintaining that he was justified in taking any measures he thought fit to extort confessions from persons whom he suspected, and that if every other method failed, he had a right to cut off their heads. The grotesque atrocity of this avowal is said to have disturbed the gravity of the court. Such an exhibition, in an English court of justice, would, probably, have led to an enquiry into the state of the defendant's mind. The judge told the jury that the character of the plaintiff was unimpeached; that he had been grossly and wantonly abused, and that he was entitled to the whole amount of damages laid in the declaration. Lord Yelverton, the Chief Baron, who was also in the Commission, and sat upon the bench during the trial, expressed, in emphatic language, his concurrence with the summing up of Mr. Justice Chamberlain. The jury gave four hundred pounds, the damages being laid at a thousand.

Arrest of Mr. Scott

The success of this appeal to a superior court of justice revived the spirit of the people; and notices of other actions were served upon the late high sheriff. Among the suitors who came forward to obtain legal redress for the outrages which this man had perpetrated, was a gentleman of family and fortune named Scott, who had been arrested at his country house, by Fitzgerald, on a ridiculous charge

of having sold timber from his woods which had been afterwards manufactured into pikes. Scott positively denied the imputation — such as it was, — and bail was offered to the amount of a hundred thousand pounds to meet any charge which might be brought against him. Fitzgerald, however, dragged Mr. Scott to jail; but after some days, was forced, by the interposition of the general in command of the district, to liberate him on bail for twenty thousand pounds. No charge was preferred against Scott, and his repeated demand of a charge having been treated with contempt, Scott brought his action of false imprisonment against Fitzgerald. To such an action there could be no answer; and as the superior courts had shown that they meant to dispense impartial justice, it was difficult to estimate the measure of damages which might be awarded for an outrage so flagrant. Fitzgerald and his abettors became alarmed. It was represented to the Government that the man who had rendered such signal services to the cause of order was in danger of being ruined, because the judges would not give an interpretation to the Indemnity Act sufficiently liberal to cover the indiscretion of a too zealous loyalty.[h] The Government readily listened to this appeal; but Fitzgerald, not content with leaving his interests in the hands of his friends at the Castle, petitioned Parliament for redress against the severity of the

[h] See Lord Castlereagh's letter to the Duke of Portland, April 26, 1799.—*Castlereagh Correspondence*, vol.ii. p. 279.

Ch. 38. — 1799

law. Cooke, the Under Secretary, put himself forward, or was probably put forward by Castlereagh, who did not care to appear prominently in such a business, to support the petition; in doing which, he expressed his regret that the activity manifested by Mr. Fitzgerald had not been imitated more extensively.[1] Mr. Yelverton, the son of the chief baron who followed Cooke in the debate, took occasion to describe the services which the Under Secretary had stamped with official approbation. Mr. Hutchinson told the story of Scott, and added an anecdote of a man, who, when nearly flogged to death by Fitzgerald, made a false accusation against another person to save his own life. It was alleged on behalf of Fitzgerald, that funds were being raised by subscription for the purpose of harassing him by legal proceedings. The ready answer was, that Fitzgerald had maligned a regiment of yeomanry, by accusing them of disaffection; and that the men had subscribed a guinea a piece, to vindicate the character of their body in a court of justice. The Attorney-General, Toler, had the effrontery to say, that the regiment, by raising a fund in this manner to defend their pro-

[1] Debates in Irish House of Commons on Fitzgerald's petition, appended to report of the trial of the action *Wright v. Fitzgerald.*—*State Trials*, vol. xxvii. Cooke was one of the men whom Lord Fitzwilliam dismissed from office in pursuance of his plan of reforming the Irish Administration. Cooke had been replaced by Lord Camden, and was the confidential agent of Lord Castlereagh.

fessional honour against a slanderous ruffian, had been guilty of a conspiracy, for which they ought to be prosecuted.. The debate grew warm; but no attempt was made to deny any one of the charges alleged against Fitzgerald, or even to hint that they had been too highly coloured. But only one voice was found to point to the conclusion, which ought to have been unanimously adopted. Dr. Browne, member for the University, said, if such conduct as Fitzgerald's was to be justified, the sooner the Irish Parliament was extinguished the better. Still, it must be recorded, that this assembly, vile as it was, fixed a limit to its career of shame. Fitzgerald had asked for a secret committee; but the House of Commons, though prepared at the bidding of the Government to indemnify all the misdeeds of all their agents, hesitated to license one slanderer secretly to attack the character and life of any person he chose. The motion for a secret committee was, therefore, suffered to drop; but leave was given to bring in a bill to amend the Act of Indemnity.

Use of torture.

As the use of torture was not sanctioned by the law of Ireland, any more than by the law of England, it was difficult to understand how the ingenuity of the Irish crown lawyers could frame an act which should cover such practices as tearing the scalp off the head with pitched caps, penetrating the soles of the feet with pointed stakes, cutting with swords, and flogging to the peril of life. An act had been passed early in the Session

Ch. 38. — 1799

to extend the indemnity to magistrates who 'had been obliged to punish such offenders [*i.e.* 'criminals' and '*suspected* persons,'] even with death.'[k] But this did not meet the case of torture. And as there was no Jeffries or Scroggs on the Irish bench willing to stretch the law, it was necessary that the new statute should speak in plain terms. A Bill was therefore framed exactly according to the pattern required by the exigencies of Mr. Sheriff Fitzgerald. It was provided in a few simple words, which could not be misunderstood, that when the jury in an action against a magistrate, or other officer found for the plaintiff, the verdict should be set aside and a nonsuit entered, unless the jury also found that the act was done maliciously, *and* not with intent of suppressing rebellion; so that in order to give the plaintiff the benefit of his verdict, it was not sufficient for the jury to find express malice; they must also find that such malicious act had no connection with the suppression of the rebellion. Even an honest jury—such a jury as convicted Oates, or acquitted Hardy, could not say that Fitzgerald's crimes, malignant as they were, and prompted as they also were by base and sordid motives, had nothing to do with the rebellion.[l] The Protestant juries who were to try the issues between the Fitzgeralds and their victims, would feel no scruples in ascribing any act of irregular zeal to the loyal vigi-

[k] Thirty-ninth Geo. III. c. 3.—*Irish Statutes.* [l] Ibid. c. 50.

lance against papist traitors. Mr. Scott, the gentleman who had been sent to prison without a charge, and held to excessive bail to answer nothing, was heard at the bar by his counsel against this flagitious enactment, but without any other result than to affect the House of Commons with full knowledge of the wanton, and all but incredible outrage, to which they were about to extend a special immunity. After the act was passed, the Sheriff conducted himself with an insolence which the most hardened ruffian has seldom exhibited. One Doyle, a tradesman in the town of Carrick, was seized by Fitzgerald, and flogged until he fainted. No charge having been brought against him, Doyle brought an action of assault and false imprisonment. Fitzgerald pleaded the statute, and conducted his own defence. One of the witnesses, Captain Jephson, who commanded a troop of yeomanry, declared that the conduct of the sheriff had been calculated to convert loyal men into rebels, and that he himself, had he been in any other situation, would have been driven by such wanton cruelty as he had witnessed to join the rebellion. Fitzgerald addressed the jury in a speech, the like of which, it may safely be asserted, was never before heard in a court of justice, and such as no criminal in the dock would now be suffered to utter without rebuke. He was indeed more like an outlaw vaunting his exploits to his gang of cutthroats in their den, than a sane man taking a part in a transaction of civilized life. He named

Ch. 38. 1799

several persons whom he had flogged under circumstances more aggravated than those of the case before the court. He mentioned one man who had cut his throat to escape the horrors and ignominy of torture. He admitted or boasted that, in his search for rebels, he had flogged many persons who proved to be perfectly innocent. Lord Avonmore, the Chief Baron who tried the cause, did not dissemble his grief and indignation at having to administer such a law as that which had recently been enacted. 'Before the Indemnity Acts passed,' he said, in summing up to the jury, 'no damages you could give would be too great; but if, under these acts, you believe the defendant was forced, through imperious necessity, to commit this abominable outrage against the plaintiff (a man of acknowledged loyalty) you are bound to find for him; the information he acted on he has told you was that of a vile, perjured, and infamous informer, and this too not upon oath. To render a verdict for the plaintiff of any avail, you must find that the defendant acted maliciously, and not with the intent of suppressing the rebellion, or of serving the state; such are the words of the Act, which places an insuperable bar between injury and redress, and sets all equity and justice at defiance.' With these words, the judge dashed the Act upon the cushion, and threw himself back on his seat. The jury found for the defendant, who thereupon sued the plaintiff for double costs under the statute, and obtained a verdict.

It remains to be mentioned with reference to this subject, that among the persons ultimately recommended for their services to the special favour of the Crown was Mr. Thomas Judkin Fitzgerald, who received a considerable pension, and, after the Union, was created a Baronet of the United Kingdom. When these murders and torturings were first alluded to in the English Parliament, they were stoutly denied; and when they could no longer be denied, it was as stoutly maintained that they had been perpetrated without the knowledge of the Government. But it was notorious that rebels, or reputed rebels, were subjected to the picket and the lash in Dublin itself under the very shadow of the Castle. Beresford's riding-house was the terror of the Catholic populace. In the old Custom-house, the Royal Exchange, and many of the barracks, there were daily and hourly exhibitions of torture.[m]

[m] John Claudius Beresford himself afterwards admitted, in his place in Parliament the cruel practices by which the discovery of concealed arms had been enforced, 'I fear,' he said, 'and feel a deep shame in making the avowal, I fear it is too true. I defend it not—but I trust I may be permitted to refer, as some palliation of these atrocities, to the state of my unhappy country, where rebellion and its attendant horrors had roused in both sides to the highest pitch all the strongest passions of our nature.'—*Life of Wilberforce*, vol. iii. p. 326. According to the report of his speech in the *Parliamentary History* (debate on the Martial Law Bill, 1801) he maintained that his party were perfectly justified in the use of torture.

Ch. 38. — 1799

Lord Cornwallis's Government.

Cornwallis, when he undertook the government of Ireland, well knew the system of cruelty that had been pursued. Pitt knew it, and gave Cornwallis full power to put a stop to it.[n] The despatches and private letters of Lord Cornwallis, from the commencement to the close of his Irish administration, abound in expressions of disgust at the baseness of the people who surrounded his Government, and at the cruelty, equally inhuman and impolitic, with which this vile portion of the minority abused their power. In one of his earliest letters to the Secretary of State, the Lord Lieutenant says, 'The principal persons of this country, and the Members of both Houses of Parliament are, in general, averse to all acts of clemency; and although they do not express, and perhaps are too much heated to see, the ultimate effects which their violence must produce, would pursue measures that could only terminate in the extirpation of the greater number of the inhabitants, and in the utter destruction of the country. The words Papists and Priests are for ever in their mouths, and by their unaccountable policy, they would drive four-fifths of the community into irrecon-

[n] Wilberforce describes Pitt in conversation with him 'resenting and spurning the bigoted fury of Irish Protestants.'—*Life of Wilberforce*, vol. ii. p. 297. He describes Pitt's conduct on another occasion, when Lord Clare undertook to defend the torture in the House of Lords, 'I shall never forget Pitt's look; he turned round to me with that high, indignant stare which sometimes marked his countenance, and stalked out of the House.'—*Ibid.* vol. ii. p. 326.

cilable rebellion.'[o] Again, he says, a few days later, in a private letter, 'The conversation of the principal persons of the country, all tend to encourage this system of blood, and the conversation, even at my table, when you may suppose I do all I can to prevent it, always turns on hanging, shooting, burning, etc., etc., and if a priest has been put to death, the greatest joy is expressed by the whole company.'[p] Lord Cornwallis, when a Member of the Cabinet, had been the first to disapprove of the ebullition of anger in which Sir Ralph Abercromby described the Irish militia, as formidable to every body but the enemy; but he had not been long in Ireland before he expressed a similar opinion.[q] After he had been a year and a half in the island, the Lord Lieutenant writes thus — 'The greatest difficulty which I experience is to control the violence of our loyal friends, who would, if I did not keep the strictest hand upon them, convert the system of martial law (which, God knows, is of itself bad enough), into a more violent and intolerable tyranny than that of Robespierre. The vilest informers are hunted out from

[o] Lord Cornwallis to Duke of Portland, July 8, 1798.—*Cornwallis Correspondence*, vol. ii. p. 356.

[p] Lord Cornwallis to General Ross—*Cornwallis Correspondence*, vol. ii. p. 368.

[q] 'The Irish militia are totally without discipline, contemptible before the enemy, when any serious resistance is made to them, but ferocious and cruel in the extreme when any poor wretches, either with or without arms, come within their power; in short, *murder appears to be their favourite pastime.*' Lord Cornwallis to Duke of Portland, July 8, 1798.

Ch. 38. — 1799

the prisons to attack, by the most barefaced perjury, the lives of all who are suspected of being, or of having been, disaffected; and, indeed, every Roman Catholic of influence is in great danger.'[r]

No man of less firmness than Cornwallis, or with less weight, derived from position, character, and knowledge of affairs, could have borne up under the storm of opposition, which counsels of moderation and humanity would be sure to encounter, from a party long inured to a policy of violence and repression. Lord Cornwallis had no supporters among the Government party, except the Chancellor Clare and his own secretary Castlereagh. The Chancellor, though firm in his adherence to ascendancy principles, was a man of cultivated intellect, and, therefore, could not quite go the whole length with the furious bigots[s] who thought that Ireland was to be saved by hanging, shooting, and torturing papists. The secretary was a friend of the Catholics: but the factions were as corrupt as they were cruel; and the minister who had the dispensation of patronage was a privileged person. But even Lord Clare and Lord Castlereagh could not be depended on for

[r] *Cornwallis Correspondence*, vol. iii., Nov. 16, 1799.

[s] The Chancellor and many of our most able friends are blinded by passion and prejudice, and would drive the country into rebellion in six months. Lord Castlereagh is by far the best; but I doubt whether he would yet have firmness to control the violent representations of his countrymen.' Lord Cornwallis to General Ross, June 7, 1800. — *Cornwallis Correspondence*, vol. iii. p. 250.

that hearty and unreserved co-operation which the Lord Lieutenant required to defeat the intrigue, the evasion, and duplicity, as well as the open opposition, with which his policy was assailed. The English cabinet were, with one exception, unfriendly to him; and he had been hardly six months in Ireland, when the question of his recall seems to have been discussed.[t] Lord Grenville declared that he should deplore to the hour of his death, the share he had in the appointment of Lord Cornwallis. The Chancellor was his most active and formidable opponent.[u] The Duke of Portland, the minister with whom, as Secretary of State, he was in immediate correspondence, gave him a hesitating and wavering support. But the Viceroy had one friend in the Cabinet, and that friend was, happily, the Chief Minister. The rash dismissal of Fitzwilliam, in 1795, would have dwindled into an insignificant event, in comparison with the removal of Cornwallis, in 1799. The revival of the rebellion, and the indefinite postponement of the Union, would have been the probable consequences of disgracing Cornwallis, and substituting in his room some Tory peer,[x] who would have been received with shouts of exultation

[t] Lord Grenville to Marquis of Buckingham.—*Courts and Cabinets of George III.*, vol. ii. p. 429.

[u] *Cornwallis Correspondence*, vol. iii. p. 317.

[x] Or, as Lord Grenville expressed it, 'Some old woman in a red riband to a post which required the civil and military talents of a Marlborough.'—*Courts and Cabinets of George III.*, vol. ii. p. 430.

Ch. 38. — 1799

by the Orangemen, and with the deep murmur of despair by the great mass of the population of Ireland. It was to the firmness and wisdom of Pitt, in supporting, with the single weight of his authority, the only Lieutenant who had attempted to govern Ireland with an impartial hand, and to chastise the insolence of a cabal as cruel and intolerant as any tyranny which has crushed mankind, that the salvation of the island, and perhaps the integrity of the empire is to be ascribed. Cornwallis himself was worthy of such confidence. The slander with which he was systematically assailed, in a country where slander was virulent, and truth was weak, still taints his fame, and the great services which he rendered to Ireland, and through Ireland to the empire, have never been duly appreciated. From a pure sense of public duty, and without a moment's hesitation, Cornwallis, already sated with wealth and honours, accepted an office for which he felt the utmost repugnance. But while he refers to the life of a Lord Lieutenant as fulfilling his idea of 'perfect misery,' he is never deterred by weariness or disgust from the task which he had undertaken, and never shrinks from the performance of duties which to a high-minded man, must have been odious and revolting. His political sagacity is manifest in the whole tenour of his administration. He saw that the great grievances of Ireland did not admit of topical remedies. A reform of Parliament was impracticable, there being no materials out of which a

constituency could be created. Catholic emancipation, and a local parliament were incompatible with British connection. Legislative Union with Great Britain was the only remedy, and he would hear of no other. He was determined to check the savage spirit of Protestant ascendancy. But his resolute will was tempered with prudence and caution. Had he proceeded, after the fashion of Lord Fitzwilliam, at once to root out abuses, which had long been imbedded in the political system of Ireland, he would have experienced the fate of that rash, though well-meaning ruler. Cornwallis knew that he could not make Protestant noblemen, gentry, and yeomanry, long accustomed to domineer over the subject race, moderate, just, liberal, and conciliatory, all in a moment. He was content, therefore, to restrain them, so far as he could from murdering and torturing people, whose only offence was their religion. He would not suffer the forms of martial law, the superintendence of which immediately concerned him, to be abused to the purposes of private malice and political rancour. He greatly mitigated, therefore, but could not wholly prevent the persecution of the Catholic people.[y]

[y] 'I never can permit them [the yeomanry] to take advantage of their military situation to pursue their private quarrels, and gratify their personal resentments; or to rob and murder at their discretion, any of their fellow-subjects whom they may think proper, on their own authority, to brand with the name of rebels.' Lord Cornwallis to Duke of Portland, March, 1799. 'You write as if you believed that there was any foundation for all the lies and

Ch. 38. — 1799

Nor was he strong enough to deny to the Judkin Fitzgeralds the protection which they demanded against the outraged laws. He was frequently baffled even in his efforts to keep the administration of martial law within the limits of common sense and humanity. One example may be mentioned, not because it was one of peculiar atrocity, for there were many similar cases, but as shewing what Irishmen of high station, and consequently of some education and knowledge of the world, were capable of in those times.

Murder in Wicklow.

A part of the Mount Kennedy corps of yeomanry were, on an autumn night in the year 1798, patrolling the village of Delbary, in the county of Wicklow. Two or three of the party led by Whollaghan, one of their number, entered the cottage of a labouring man named Dogherty, and demanded if there were any bloody rebels there? The only inmates of the cabin were Dogherty's wife, and a sick lad, her son, who was eating his supper. Whollaghan asked if the boy was Dogherty's son; and, being told that he was—"Then, you dog," said Whollaghan, "you are to die here." "I hope not," answered the poor lad. And he prayed, if there

nonsensical clamour about my lenity. On my arrival in this country, I put a stop to the burning of houses and murder of the inhabitants by the yeomen, or any other person who delighted in that amusement; to the flogging for the purpose of extorting confession, and to the free quarters, which comprehended universal rape and robbery throughout the country.' Lord Cornwallis to General Ross, April, 1799.—*Cornwallis Correspondence*, vol. iii. pp. 74—89.

was any charge against him, to be taken before Mr. Latouche, a magistrate in the neighbourhood, of known humanity and justice. The fellow replied that he cared nothing for Latouche, and raised his gun. The mother entreated him, for the love of God, to take her life instead of her child's. Whollaghan, with a volley of abuse, pulled the trigger twice, but the piece missed fire. A comrade then handed him another gun; and the woman rushed at the muzzle to shield her son. In the struggle the piece went off, and the ball broke young Dogherty's arm. When the boy fell, the assassins left the cabin; but Whollaghan returned, and seeing the lad supported by his mother, cried out, "Is not the dog dead yet?" "O yes, sir," said the poor woman, "he is dead enough." "For fear he is not," said Whollaghan, "let him take this." And with deliberate aim, he fired a fourth time, and Dogherty dropped dead out of his mother's arms.

Whollaghan was tried for murder, not by the civil tribunal, as he should have been, but by Court Martial. The facts were not disputed; but the defence was that the poor boy had been a rebel, and that the prisoner was a humane and loyal subject. That the Doghertys were rebels is probable enough; as, indeed, it was hardly possible that a Catholic peasant should have been anything else. But no legal evidence of the fact was tendered; and the hearsay which was admitted was about as credible as the oaths of the Orangemen who came to give

Ch. 38. — 1799

Whollaghan a character for humanity. But the real defence was, that the prisoner and his companions had been sent out with general orders from their officer to shoot anybody they pleased. The court seemed to have been of opinion that such orders were neither unusual nor unreasonable; and it is difficult to collect, from their finding, that they thought the prisoner had been guilty even of an error in judgment. They found, "that the prisoner did shoot and kill Thomas Dogherty, a rebel; but do acquit him of any malicious or wilful intention of murder."

Court Martial dissolved by Cornwallis.

Now this crime was perpetrated, not in the wilds of Connaught, but in the metropolitan district. The trial took place in Dublin; and the president of the court was the Earl of Enniskillen, one of the chiefs of the Irish nobility. When the proceedings of the court were submitted to Lord Cornwallis, he immediately signified his entire disapproval of the acquittal of a man, who, by the clearest evidence, appeared to have been guilty of a cruel and deliberate murder. He directed the Court Martial to be immediately dissolved; that Whollaghan should be dismissed from the yeomanry; and that this order should be read to the president and members of the Court Martial in open court.[z]

A similar case to Whollaghan's, and one, if possible, still more flagrant, so far as the conduct of the Court Martial was concerned, was that of a

[z] *Cornwallis Correspondence*, pp. 419, 420, 421. PLOWDEN'S *History*, Part ii. p. 810.

lieutenant and a party of militia, who were tried for another act of deliberate murder. The court, sympathising with the act, and, willing to shield the perpetrators, came to a conclusion, which mingled absurdity and baseness in a manner that no other country or faction could have equalled. They acquitted the officer who gave the order, and convicted the men who had committed the homicide in obedience to the order. "But," they added, "it appearing that the deceased had belonged to a yeomanry corps which had been *disbanded, and that he had not joined any other*, the Court are of opinion, that at the time the crime was committed, the prisoners did not think they were doing an improper act, in putting a person *they thought a rebel* to death; and from their former good conduct, the Court submit to his excellency, whether they are not fit objects for mercy, and to be sent to serve in a regiment abroad for life." Lord Cornwallis, of course, disallowed the sentence altogether as regarded the men, who were clearly entitled to their acquittal; but as regarded the lieutenant, he took the opinion of the law officers, whether a finding so manifestly perverse, must be considered final. The acquitted murderer, however, could not be tried again; and all that Cornwallis could do, to repair the iniquity of this officer's accomplices on the Court Martial, was, to procure his dismissal from the service.[a] The trials were numerous, in which the Court

[a] *Cornwallis Correspondence*, vol. iii. p. 421.

Ch. 38. — 1799

endeavoured to adapt the evidence to their foregone conclusions, by rejecting legal, and admitting illegal, proof—thus showing a determination, at all hazards, to avoid giving a just and honest decision. Yet, for interposing whenever he could, to protect the lives of the people committed to his charge from assassination and perjury, the King's Vicegerent was assailed with calumny and insult, by a faction never before thwarted, or even checked, in its cruel insolence and tyranny. 'Croppy Corny,' and 'Rebel,' were the epithets in which the vulgar herd of partizans railed against the Lord Lieutenant. The Orangemen made common cause with Lord Enniskillen, in the disgrace which had so justly befallen him, for the affair of Whollaghan.[b] Even in England, where the state of the sister island was as little known as the state of a sugar island in the Caribbean Sea, or a remote province of the continent of Asia, there was a prevalent opinion, in which the ministers themselves shared, that the Lord-lieutenant was too lenient; that he favoured the sanguinary rebels, and dis-

[b] Dr. Duigenan, the organ and champion of the Orange party, had the audacity to write to Lord Castlereagh, in these terms:—'In truth, my Lord, I must plainly tell you that the unaccountable conduct of the present Lord Lieutenant, which has rendered him not only an object of disgust but of abhorrence to every loyal man I have conversed with since my return from England, has induced many persons to oppose a union, who, if uninfluenced by resentment against the Marquis Cornwallis, would have given no opposition, if they did not support the measure.' Dec. 20th, 1798.—*Cornwallis Correspondence*, vol. iii. p. 89.

couraged the brave loyalists, and that the calamities of Ireland were to be attributed to a departure from the system adopted by his predecessor.[c] Cornwallis, however, was not to be moved from his purpose, either by the clamour for blood which raged around him, or by the hints, sometimes extending to remonstrances, addressed to him by the Home Office, against 'a ruinous system of lenity.' Lord Castlereagh at length[d] furnished the Secretary of State with a return of the punishments which had been inflicted during the administration of his chief. Lord Cornwallis had decided personally on four hundred cases. Out of one hundred and thirty-one condemned to death, eighty-one had been executed; and four hundred and eighteen had been transported, or banished, in pursuance of the sentences of Courts-martial. After this statement, no further complaint appears to have been received from Whitehall.

Prorogation of Irish Parliament.

The Irish Parliament was prorogued soon after the passing of the Indemnity Bill; and as it was the fixed purpose of the Government that the next Session should be the last of the local legislature, the recess was employed in preparing the way for the accomplishment of the Union. The English Cabinet, in their impatience to bring the event to a conclusion, had urged upon the Lord Lieutenant the immediate proposal to the Irish Houses of resolutions similar to those which had been passed

[c] *Cornwallis Correspondence*, pp. 13, 73, 89.

[d] April 6, 1799.

Ch. 38. — 1799

by the English Parliament. But Lord Cornwallis urged so many and such cogent reasons for delay,[e] that the matter was not pressed. The borough owners, finding that the Government were determined to take their property, for the most part came to terms, and made the best bargains they could in addition to the fixed scale of compensation which they were to receive. While this traffic was going on under the superintendence of the chief secretary, the Lord Lieutenant himself made a tour through the island, with the view of ascertaining the sense of the people, both with reference to the Union, and to the possibility of a French invasion. The result of this visit was a confirmation of the opinion which he had always expressed, that the opponents of the Union were chiefly those who had an immediate interest in the maintenance of a local Parliament. These were the owners of seats whose claims were to be satisfied; a few men of political mark who were not to be purchased, and the citizens of Dublin, who must inevitably be sufferers by the removal of the legislature, but whose losses did not admit of compensation. The real grievances of the country were not to be found in the abolition of legislative institutions, which had done little to recommend themselves to the respect and confidence of the people. The sullen calm which

[e] Marquis Cornwallis to Duke of Portland, March 29, 1799.—*Cornwallis Correspondence*, vol. iii. p. 82.

appeared to the Viceroy, in his dignified progress, to denote tranquillity and content, covered a deep-seated hatred which was ever on the watch for opportunities of revenge. Hardly had the Viceroy returned to the Castle, and sent his congratulatory despatch to London, when he was followed by reports of disturbances in the counties of Waterford and Tipperary, and brought to the melancholy conclusion, that the spirit of disaffection was so deeply rooted in the minds of the people as to require not only time, but a total change in the system and constitution of the Government, before it could be eradicated.[f]

The Irish Parliament re-assembled on the fifteenth of January. The principal proprietors of the House of Commons, with the exception of the Marquis of Downshire, had been gained over to the Union. But this great nobleman, who owned seven seats, and returned one member for his county,[g] besides dealing largely with borough-mongers who sold their nominations, was not to be compensated for the loss of political influence so extensive, by any terms which the Government could offer. In the balanced state of the House of Commons, Lord Downshire's opposition was extremely formidable; and the Government, find-

[f] *Cornwallis Correspondence*, vol. iii. p. 132.

[g] Lord Castlereagh had himself wrested the other seat for the county of Down from the Marquis's nomination, at the election in 1790. The contest cost his father sixty thousand pounds, and nearly ruined him.—*Memoirs of Lord Castlereagh*, vol. i. p. 7.

Ch. 38. — 1799

ing it impossible to conciliate him, were willing to take advantage of an opportunity, which he was so rash as to afford them, of making him feel the weight of their resentment. The Marquis, long accustomed to take the leading part if not to dictate his will in the north of Ireland, among other means which he took of opposing the Union, sent down the draft of a petition against the measure to be signed by his regiment of militia quartered at Carlow. So flagrant a breach of military discipline was not likely to be overlooked by Lord Cornwallis. A general officer was immediately sent down to Carlow to investigate the matter, and his report, notwithstanding the earnest remonstrances of Lord Downshire, who was fully sensible of his misconduct, was transmitted to London to be laid before the King. The consequence was that Lord Downshire was removed from the command of the regiment of militia, and from the government of the county of Down. The King also directed that his name should be struck out of the list of the Privy Council. This act of vigour had a wholesome effect. In all countries, and in none more so than in Ireland, the assertion of authority is respected. People are ever ready to desert the fallen potentate, and to go over to the side of successful power.

In order to avoid risking the fate of the measure on an amendment to the address, no reference was made to the Union in the speech of the Viceroy; an amendment, nevertheless, was moved in the

Commons, pledging the House to the maintenance of the local Parliament. It was moved by Sir Laurence Parsons, heir presumptive to the Earldom of Rosse, and seconded by Mr. Savage, Lord Downshire's member for the county of Down. The debate was sustained with great animation during the whole night, Plunkett, Bushe, and Ponsonby, having spoken in support of the amendment. After the House had sat fifteen hours, a scene took place highly characteristic of the chief actor in it, and of the country in which it was acted. A vacancy having occurred a few days before the meeting of Parliament in the representation of Wicklow, an arrangement was made with Mr. Tighe, the patron of the borough, to return Grattan. It was intended to take the House by surprise, and the returning officer being friendly to the scheme, the election, which was fixed for the sixteenth of January, was allowed to be held immediately after midnight on the fifteenth. Tighe himself took the return; and, riding all night, arrived in Dublin at five o'clock in the morning. Grattan, wasted by sickness, was taken out of bed, dressed, wrapped in a blanket, and conveyed in a sedan chair to College Green. At seven in the morning, when the jaded House was half asleep, the vehement declamation of an orator named Egan, was interrupted by the voice of the Speaker summoning a new Member to the table to take the oaths. The House started from its slumber as the spectral figure of Grattan paced

Ch. 38. — 1799

slowly up the floor, supported by Ponsonby and Arthur Moore. Few Members were aware that Grattan was to be returned, as he had been substituted at the last moment for another man to whom the seat for Wicklow had been sold. The return of the writ had not been expected before the following day. The House became greatly excited, the throng of strangers in the spacious galleries, mingling, as was their custom, in the emotions which agitated the House. The scene was indeed one which might have moved a less susceptible assembly. The man of 1782, the champion of the revolution which had made Ireland a nation, was come back as from the grave to rescue the independence of his country. Nor was any accessory wanting to complete the affecting spectacle. The patriot was attired in the uniform of the volunteers, which so aptly reminded the spectators of the most glorious era in the history of their country. Many of the old friends of Irish independence pressed around him, as he moved slowly toward the table, casting a severe glance at the treasury benches. After he had been sworn, Grattan took his seat by the side of Plunkett. It soon became known that he meant to follow the gentleman who was in possession of the House; and, to excite still more the impatience and expectation of the audience, it had been arranged, as a part of the scene, that Grattan should enter the House while some dull uninteresting speaker was wearying its patience. Mr. Egan

was soon clamoured down; and amid breathless silence, Grattan rose slowly, and with pain. He asked, and obtained leave, to address the House sitting. He spoke for two hours, and his speech shewed evident marks of careful preparation. He discussed every branch of the question, and concluded with a peroration in his finest manner. 'I have heard,' said he, 'of a Parliament impeaching a Minister, but here is a Minister impeaching a Parliament. He does more; he impeaches the parliamentary constitution itself. The abuses in that constitution he has protected; it is only its being that he destroys. He proposes to you to substitute the British Parliament in your place; to destroy the body that restored your liberties, and restore the body which destroyed them. Against such a proposition, were I expiring on the floor, I should beg to utter my last breath, and record my dying testimony.'[h]

Grattan was answered by Corry, the Chancellor

[h] The reader will be struck by the resemblance between this scene, and the appearance of the elder Pitt in the English House of Commons, when he went down to oppose the Peace of Paris.—*Supra*, vol. i. p.127. There were, indeed, many points of comparison between Chatham and Grattan. Both were men of lofty mind and ardent temper. Both were patriots of the highest order. They were the greatest actors that have appeared on the political stage. Their eloquence was of the same kind; impetuous, epigrammatic, and animated with the true fire of genius. But the range of the great Irishman's sympathies was confined within provincial limits. Chatham's magnanimous spirit could prefer freedom, to the narrow and selfish interests of the country which he loved and had made so great.

Ch. 38. — 1799

of the Exchequer, one of those clever and ready tools of power which the political market of the sister kingdom could always supply. The amendment was rejected by a majority of forty-two; a result which was decisive of the question, unless the friends of Independence could outbid the Government in the only means which could influence the majority of members. This was, indeed, impracticable; nevertheless, a vigorous effort was made to raise funds for the purchase of seats; Lord Downshire subscribed five thousand pounds; Lord Lismore and Mr. White three thousand pounds; the two Ponsonbys four hundred pounds each. It has been said that a hundred thousand pounds was raised for this purpose. A few days after the debate on the address, two seats, vacated by members accepting office, were won, or bought, by the opposition; and Lord Castlereagh became urgent for a further supply from the secret service fund.[1] A last effort was also made to arouse public feeling out of doors, and with a degree of success in Dublin, at least, which caused the Lord Lieutenant to call for military reinforcements from England. On the 5th of February, Lord Castlereagh brought down a message from the Lord Lieutenant recommending a Union. On this occasion the decisive struggle took place. The division was the largest ever known in the Irish

[1] Lord Castlereagh to Mr. King (the Under Secretary for the Home Department) Jan. 25th, 1800.—*Cornwallis Correspondence*, vol. iii. p. 170.

house, two hundred and seventy-three members having voted. Cornwallis and Castlereagh both declared it to be within their knowledge that the opposition offered four thousand pounds, ready money, for a vote.[k] But they name only one man who was purchased, and his vote was obtained for four thousand pounds. From the language of Lord Cornwallis, it is certain that if money was spent by the Government in this way, it was without his knowledge; but many things may have been done by the inferior agents of the Government, and possibly by Castlereagh himself, which they would not venture to lay before the Lord Lieutenant. It appears, however, from the papers which have recently come to light, that the prevalent belief of the Union having been mainly effected by a lavish expenditure of money is not well founded. Still it is certain that some money was expended in this way. Castlereagh's letter conclusively establishes this fact.[l]

The Government had a majority of forty-three; this, though numerically an increase of one, as compared with the last division, was really a

[k] *Cornwallis Corespondence*, vol. iii. pp. 183 and 184.

[l] To King. Private and secret. Feb. 27th 1800. 'I see no prospect of converts. The Opposition are steady to each other. I hope we shall be able to keep our friends true; a few votes might have a very injurious effect. We require *your assistance* [sic], and you *must* be prepared to enable us to fulfil the expectations which it was impossible to avoid creating at the moment of difficulty. You may be sure we have rather erred on the side of moderation.'—*Cornwallis Correspondence*, vol. iii. p. 200.

Ch. 38. — 1799

falling off. Twelve members, who voted with the Government on the address, deserted them on the direct question, and great doubts were entertained of the result. The Lords affirmed the resolution for Union by seventy-five votes against twenty-six. The firmness of the Government, in pressing the measure, did more to discourage the opposition than any bribery or intrigue which, at that stage, might have been practised. On the 18th of February, the first resolution, affirming the principle of a united Parliament, was carried, after a debate of eighteen hours by a majority of forty-six. The argument having been, by this time, nearly exhausted, the debate was enlivened by a violent altercation between Corry, the Chancellor of the Exchequer, and Grattan. The quarrel was deliberately planned; Corry made the first attack, accusing his rival of encouraging rebellion, and associating with rebels. Grattan's reply was in a strain of invective, compared with which the denunciations of Lord North by Burke and Fox were mild and moderate censures. 'He calls me,' said Grattan, 'an unimpeached traitor. I ask, why not traitor unqualified by any epithet? I will tell him; it was because he dare not. It was the act of a coward, who raises his arm to strike, but has not courage to give the blow: I will not call him villain, because it would be unparliamentary, and he is a privy councillor. I will not call him fool, because he happens to be Chancellor of the Exchequer. But I say he is one who abuses

the privilege of Parliament and the freedom of debate, to the uttering language, which, if spoken out of the House, would be answered only by a blow.'[m] The House was in committee, but the chairman took no notice of this language; no member moved that the words should be taken down; nor did it seem to occur to the Speaker, who was present, that it was his duty either to resume the chair, or to take any measure for the suppression of such language, or the prevention of the consequences to which it must lead. On the contrary, he sat by while the arrangements for a hostile meeting were made within the House, and he saw the principals and their seconds go out to settle the matter while the debate was proceeding. One of the combatants, indeed, was permitted to make use of the Speaker's chamber until there was light enough to fight.[n] A great multitude accompanied the parties to the ground, and the Sheriff of Dublin was present, but declined to interfere. Mr. Corry was wounded in the arm at the first fire; and it was well for him that the affair terminated in this manner; for if the fortune of the duel had been against Grattan, it seems to have been probable that his antagonist would have been torn to pieces by the mob. To complete this scene, it was agreed, before the meeting, that in the event of either of the principals being killed,

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[m] *Grattan's Speeches*, vol. iii. p. 432.

[n] Grattan's own narrative.—*Life of Grattan*, vol. v. p. 108.

Ch. 38. — 1799

or disabled, the other should be considered to have paired with him.[o] This precaution was taken with the view of defeating a policy, which was attributed to the Government of increasing their majority by fixing personal quarrels on their opponents, and shooting them in single combat.[p]

The House of Commons having thus affirmed the main resolution, 'That a Legislative Union of the two kingdoms was desirable,' the measure was virtually carried. The resolutions of detail were, in fact, agreed to without any serious opposition. One more trial of strength, on a motion by Ponsonby, that the petitions against the union should be laid by the Lord Lieutenant before the King, showed that the relative position of parties was not materially altered; and it was ultimately determined that the resolutions should pass without further opposition. On the 28th of March, Lord Cornwallis was enabled to transmit to the English Government the resolutions of the Irish Parliament in favour of Union. The Houses were, therefore, adjourned until May, to await the concurrence of the British Legislature.

The Resolutions having been returned from England without any substantial modification, Lord Castlereagh, on the 12th of May, moved for leave to bring in a Bill to regulate the election of the Lords and Commons of Ireland to the Parlia-

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[o] *Cornwallis Correspondence*, vol. iii. p. 196, note.

[p] Grattan alluded to this in his speech.

ment of the United Kingdom. After a short and spiritless debate, the motion was carried by a majority of fifty-five, in a thin house. The great Bill itself, for the Union of Great Britain and Ireland, was subsequently brought in, by a majority of sixty.[q] It was contested with warmth in some of its stages; but the Government maintained their majority. On the 7th of June, the Bill was passed by the Commons; and, on that occasion, several members, who had hitherto opposed the measure, declared, that when it should become law, they should think it their duty, not only to obey it themselves, but to use their influence in rendering it efficient. On the 2nd of August, the Lord Lieutenant announced the Royal Assent to the Act of Union; and, on the same day, the Irish Parliament sat for the last time. The principal Articles of the Union were the representation of Ireland in the Imperial Parliament by four spiritual peers, sitting by rotation, and by twenty-eight peers elected for life by their own body; and by one hundred commoners, returned according to the existing mode of election, to the Lower House. Freedom of trade with some modifications was to be established between the two kingdoms. The adjustment of the Imperial revenue, by the contribution of Ireland was to be in the proportion of two to fifteen for a period of twenty years; after which, a new

Ch. 38.

1800

[q] 160 to 100.

Ch. 38. 1800

arrangement was to be made; and, in the meantime, the respective debt and charge of each kingdom was to constitute a distinct consolidated fund. And, lastly, the laws of Ireland, so far as they were compatible with the Act of Union, were to continue in force until altered or repealed by the Imperial Parliament.

Early in April the Articles of Union were proposed in the English Parliament.

Pitt's speech on the representation.

In opening the resolution which referred to the proposed representation of Ireland in the united House of Commons, Mr. Pitt took occasion to renounce the opinions which he had formerly professed on the subject of Parliamentary Reform. Hitherto he had resisted motions for the amendment of the representation, on the ground that the season was inopportune. But he now declared, that if anything could have thrown a doubt on the advantage to be derived from the legislative union of the two kingdoms, it would have been the necessity of disturbing the representation of England. This, he said, might not be consistent with opinions he had at one time expressed. But he thought, that a man who boasted of his consistency, without regard to time and circumstances, was a slave to the most idle vanity. Seeing the little chance of that species of reform to which he alone had looked, and which was as different from modern schemes, as modern schemes were different from the Constitution; seeing also the dreadful consequences which had ensued whenever such false

reform had taken place, he should feel ashamed of himself, if any former opinions induced him to think that the form of representation, which, in times like the present, had been found amply sufficient for protecting the interest and securing the happiness of the people, should be idly and wantonly disturbed, from any love of experiment, or predilection for theory.

Sixth Article of Union.

The English manufacturers of woollen, alarmed at the prospect of Irish competition, petitioned, and were heard by counsel and witnesses, against the sixth Article of the Union, which provided for the removal of all prohibitions and bounties on the export of articles, the growth, produce, or manufacture of either country. But this was considered in Ireland the most important part of the measure;[1] and Pitt, whose authority in matters of trade and commerce was supreme, would hear of no modification. The manufacturers, therefore, found little support in the House of Commons, and the resolution was passed. The opposition to the principle of the measure was faintly renewed by the English Whigs. Sheridan, in the absence of Fox, who had not been drawn from his retirement to express an opinion on this great question, had led the attack in the preceding Session. And now Sheridan

[1] 'We are most impatiently looking to the decision of the British Parliament on the woollen business; in the event of which I think the success of our great measure entirely depends.' Marquis Cornwallis to General Ross.—*Cornwallis Correspondence*, vol. iii. p. 231.

Ch. 38. — 1800

relinquished the forlorn hope to Grey. The point taken last year was, that the measure ought not to be entertained, until the consent of the Irish Parliament had been given. Now that the Irish Parliament had consented, it was urged that there should be an appeal to the people. But, an appeal to such a constituency as that which returned the Irish House of Commons would have been a mere mockery. The Union was a measure of imperial policy rather than of local interest; and the formal assent of the provincial legislature having been obtained, it was far more fitting that the British Government should propose it on their own responsibility, than on the pretended suffrage of the people of Ireland. Grey's motion, for the reference of the question to the sense of the Irish people, received but little support; nor was he more successful in a crude attempt to couple a branch of the question of the reform of the English representation with the adjustment of the Irish representation in the United House of Commons. The Resolutions were agreed to by the Lords after some discussion, and a few divisions, in which the minority varied from three to twelve. A Bill, embodying the articles of Union was then introduced, being the counterpart to the Bill which was simultaneously making its progress through the Irish Houses. Both Bills received the Royal assent about the same time.

It now only remained that the Government should fulfil their part of the bargain, by paying the

price at which they had agreed to purchase the Irish Parliament. One million two hundred and sixty thousand pounds were distributed among the proprietors of eighty-four disfranchised boroughs, returning one hundred and sixty-eight members; seven thousand five hundred pounds being the sum awarded for each seat. The claims were adjusted by commissioners appointed by the Crown. This compensation, though promised for the purpose of gaining support to the Union, enured to the benefit of some who had opposed the measure. Such was the case with the Marquis of Downshire, who received a larger amount of compensation than any proprietor, having established his claim to seven seats. But, in a Parliament, hardly any member of which was returned by open election, there was a great mass of floating Parliamentary influence, which could not be estimated by its value in money. Much of this influence the Government had found it necessary to engage on such terms as the parties chose to exact. The ordinary patronage of the Crown was quite inadequate to meet these special demands. The pension list was largely augmented under the pretext of compensation. Some found it convenient to sell their votes for cash in hand. Others, who did not want money, stipulated for peerages. No sooner had the Bill passed the Irish House of Commons, than Lord Cornwallis transmitted to the English Government the names of sixteen persons for elevation to the Irish peerage, on account of their services in the

Ch. 38. — 1800

matter of the Union. The Duke of Portland demurred; but, both Cornwallis and Castlereagh insisted on the list, as the result of express bargains made in pursuance of the unlimited authority which they had received from the Cabinet. Ultimately, twenty-two peerages were created; five Irish peers received English peerages, and twenty peers were advanced to higher titles. It is a curious fact, that one lord, a warm supporter of the Union, refused an earldom twice offered to him, on the ground that he did not consider that he was entitled to a reward for a vote in Parliament.[s] No other peer or commoner who supported the measure seems to have felt any such jealous scruple.

There was no difficulty in the fulfilment of bargains which were to be transacted in titles, place, and money.[t] It would have been well if

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[s] *Cornwallis Correspondence*, vol. iii. p. 319. The nobleman so honourably distinguished was Lord Gosford. His lordship, in 1806, was advanced to an earldom, but without any disparagement of his former refusal of the dignity.

[t] Some of these promises, it appears, were not fulfilled. Lord Cornwallis, in February, 1804, when his retirement was in immediate contemplation, sent in a list of fifty, from unsatisfied claims for peerage, pensions, and offices. 'Thirty-five of the persons mentioned in this list were members of Parliament, and had voted for the Union, *and three of the pensions, though granted nominally to persons not in Parliament, were actually to be received by members.*

. . . Lord Hardwicke, when he assumed the Government, recognised the engagements made by Lord Cornwallis, and, as far as he was able, fulfilled them; but he also resigned before all the

engagements of a more honourable character, and which conduced greatly, if not mainly, to the easy progress of the question in Ireland, could have been performed with equal punctuality. But the difficulties which impeded, and, for nearly thirty years, frustrated the attempt to satisfy the just expectations of the Catholic body, belong to a subsequent period of this narrative.

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claimants had been satisfied ; and the Duke of Bedford, who succeeded him, did not consider himself bound by the antecedent promises.'—*Cornwallis Correspondence*, vol. iii. p. 340.

CHAPTER XXXIX.

FRENCH EXPEDITION TO EGYPT—BATTLE OF THE NILE—NAPLES AND ITS COURT—CAMPAIGNS IN EUROPE.—EXPEDITION TO THE HELDER.—SIEGE OF ACRE.—FALL OF SERINGAPATAM.

Ch. 39. 1798

THE treaty of Campo Formio, by which Austria obtained terms highly advantageous to her interests dissolved the offensive and defensive alliance of the Continental powers, and left England alone in arms. The humiliation of this country was to be the last and the greatest achievement of French ambition; and it was manifest, from the rude repulse with which the pacificatory advance of the British Government had been met, that the rulers of France believed that the time had arrived when the rival of the old monarchy, and the foe of the new republic must at length yield to the irresistible will of a power which aimed at universal dominion.

During the autumn and winter of this year, preparations for a great armament were proceeding at Toulon, and other harbours in possession of the

French. The army of Italy clamorous for a promised donation of a thousand millions of francs, which the Directory were unable to pay, had been flattered by the title of the army of England, and appeased by the prospect of the plunder of this country. But whatever might be the view of the Directory, or the expectation of the army, Bonaparte had no intention of undertaking an enterprise so rash as a descent upon the coast of England, while the fleets of England kept possession of the seas. There was another quarter from which the British empire might be menaced with a better chance of success. India could never be secure while Egypt and the great eastern port of the Mediterranean were in the possession of one of the great maritime powers. Egypt had been an object of French ambition since the time of Louis the Fourteenth; and if the country which bordered on the desert was considered worth having a hundred years before, how much more was it to be coveted when it had become the most convenient approach to a territory which offered the strongest temptations that had ever been held forth to conquest and rapine. It was for Egypt, therefore, that the great armament of Toulon was destined. The project was not indeed considered a very hopeful one at Paris; but such was the dread and hatred of the ruling faction for the great military genius which had sprung out of the anarchy of France, and of the thirty thousand creditors whom they were unable to satisfy, that

Ch. 39. — 1798

the issue of the expedition which they most desired was, that it might never return from the banks of the Nile. Bonaparte himself, though he had dreamed of being King of Jerusalem, already saw a more splendid crown within his grasp, and would have lingered at Paris to accelerate his destiny. A quarrel between the French Ambassador at Vienna, and the Government of the Emperor, afforded a pretext for delay, of which he attempted to avail himself; but the Directory urged his departure. He offered to resign, as he had done before, when the fate of the republic was in his hands. But his offer was now eagerly accepted. Rewbell put a pen into his hands, but Merlin dashed it to the ground. The affrighted Directory ordered their general to repair to Toulon. Napoleon, after some hesitation, obeyed. The pear, he said, was not yet ripe.

Fleet sails from Toulon.

The fleet, consisting of thirteen ships of the line, with several frigates, smaller vessels, and transports conveying twenty-eight thousand picked troops, with the full equipment for every kind of military service, set sail on the fourteenth of May. Attached to this singular expedition, destined for the invasion of a friendly country, and the destruction of an unoffending people, was a staff of professors, furnished with books, maps, and philosophical instruments for prosecuting scientific researches in a land, which to a Christian and a philosopher, was the most interesting portion of the globe. The great armament commenced its

career of rapine by seizing on the important island of Malta. Under the shallow pretence of taking in water for a squadron which had left its anchorage only two days, a portion of the troops were landed, and after a show of resistance, the degenerate knights, who had already been corrupted, surrendered Malta, Gozo, and Cumino, to the French Republic. A great amount of treasure and of munitions of war, besides the possession of the strongest place in the Mediterranean, were thus acquired without loss or delay. A conquest of such importance would have amply repaid and justified the expedition, if no ulterior object had been pursued. But Bonaparte suffered himself to be detained no more than twenty-four hours by this achievement; and having left a garrison of four thousand men in the island, and established a form of civil government, after the French pattern, he shaped his course direct for Alexandria. On the first of July, the first division of the French troops were landed at Marabou, a few miles from the city. Aboukir and Rosetta, which commanded the mouths of the Nile, were occupied without difficulty. Alexandria itself was incapable of any effectual defence, and, after a few skirmishes with the handful of Janissaries which constituted the garrison, the French entered the place; and for several hours the inhabitants were given up to an indiscriminate massacre. Bonaparte pushed forward with his usual rapidity, undeterred by the horrors of the sandy desert, and the sufferings of

Ch. 39.

1798

Ch. 39. — 1798

his troops. After two victories over the Mamelukes, one of which was obtained within sight of the Pyramids, the French advanced to Cairo; and such was the terror which they had inspired, that the capital of Egypt was surrendered without a blow. Thus in three weeks the country had been overrun. The invaders had nothing to fear from the hostility of the people; a rich and fertile country, the frontier of Asia was in their possession; but, in order to hold the possession secure, it was necessary to retain the command of the sea.

Nelson sent in pursuit of the French.

The English Government, on their side, considered the capture of the Toulon armament an object of paramount importance; and Earl St. Vincent, who was still blockading the Spanish ports, was ordered to leave Cadiz, if necessary, with his whole fleet, in search of the French; but at all events, to detach a squadron, under Sir Horatio Nelson, on that service. The selection of the junior flag-officer on the station for this most important command was naturally resented by Sir William Parker and Sir John Orde, the senior admirals; but the judgment of the Commander-in-Chief coincided with that of the Board of Admiralty; and happily, in this instance, neither a regard to the claims of seniority, nor jealousy of superior merit, were allowed to mar the fortunes of England. Nelson left Gibraltar on the 8th of May, with three ships of the line, four frigates, and a sloop, with orders to cruise off the coast of

Provence; and if he should thus be enabled to ascertain what the French were doing, to rejoin the fleet at Cadiz. He failed to obtain any more particular information than Lord St. Vincent already possessed as to the movements of the French fleet; but Nelson's opinion, from the first, pointed to Egypt as the place of its destination; and he was reinforced, on the 5th of June, with ten sail of the line. His frigates had parted company with him on the 20th of May, and never returned; a loss which greatly retarded, and almost defeated, his operations. On the 20th of June, off Messina, Nelson heard of the capture of Malta, and the departure of the French fleet. On the 28th, he arrived at Alexandria; but to his great disappointment, he there found only a Turkish line of battle ship and four frigates. On the 20th of July, he reported to Lord St. Vincent, that after sailing six hundred leagues, he had obtained no tidings of the French fleet since they had left Malta. Two days afterwards, he obtained permission, through the influence of the British Ambassador, Sir William Hamilton, or rather through the influence of Lady Hamilton, with the Queen, to victual and water his fleet, at Naples. Nelson then sailed for the Morea, and on the 29th of July, the Culloden, which had been sent forward, returned with the welcome intelligence that the French fleet had taken a south-easterly course from Candia four weeks previously. The Admiral then formed his squadron in close order, and steered straight for

Ch. 39. — 1798

Egypt. On the 31st of July, the Alexander and the Swiftsure were sent to reconnoitre; but a signal from the Zealous, at four o'clock in the afternoon of the 1st of August, announced the French fleet, sixteen sail, at anchor in line of battle, in the Bay of Aboukir. Nelson, having determined to fight whenever he came up with the enemy, whether by day or by night, immediately made the signal for action. Although the French fleet lay in an open roadstead, they had taken up a position so strong as to justify their belief that they could not be successfully attacked by a force less than double their own. They lay close in shore, with a large shoal in their rear; in the advance of their line was an island, on which a formidable battery had been erected; and their flanks were covered by numerous gun-boats. A prudent commander might have been well justified in hesitating to risk his squadron by an attack on an enemy in such a position. But Nelson, though his daring was remarkable even in a British seaman, was never rash. He had repeatedly discussed with his captains every possible contingency under which the enemy might be encountered, and had inspired them with entire confidence in his skill and judgment. The fortune of this great day, according to the ordinary tale, was decided by a brilliant manœuvre, which Nelson adopted upon a survey of the enemy's position. The celebrated phrase 'where the French ships have room to swing, the English ships have room to

anchor,' has been always quoted, as if a great discovery, in naval tactics, had been then made by the genius of Nelson. But the importance of the movement, was as well known to naval commanders, as the importance of outflanking an army in the field is known to the youngest general in the service. It was well known to Nelson, that his old commander, Lord Hood, had lately intended to attack the French in this manner; but had found the attempt, in the particular case, impracticable. Lord Duncan had executed the manœuvre with partial success at Camperdown. Nelson's merit consists, not in having made a discovery in the art of naval warfare, but in the prompt judgment which determined when a movement of the most hazardous character could be made with success. In this sense, the fine discrimination which decided that there must be sea-room along either side of a ship which swung at her anchorage, was a stroke of genius which stamped Nelson as a seaman of the highest rank. It does not appear that he issued any particular orders to his captains immediately before the engagement.[n] The signal for action being given, the foremost ships forged ahead,

[n] 'It is almost unnecessary,' says Sir Edward Berry, who was Nelson's flag captain, 'to explain his projected mode of attack *at anchor*, as that was minutely and precisely executed in the action which we now come to describe.'—*Nelson Despatches*, vol. iii. p. 50.

Ch. 39. — 1798

heaving the lead as they advanced. At length five ships succeeded, notwithstanding a heavy fire from the batteries and gun-boats, in casting anchor between the French line and the shoal; and these ships, damaged as they were, became instantly engaged in close action with their opponents alongside. Nelson's own ship, the Vanguard, with the rest of the squadron, except the Culloden, Captain Trowbridge, which struck on a shoal, at the entrance of the bay, took up positions to seaward of the enemy. The general action commenced at sunset, and continued throughout the night, until six o'clock the following morning, a period of nearly twelve hours. But in less than two hours, five of the enemy's ships had struck; and soon after nine o'clock, the sea and shore, for miles around, were illuminated by a fire, which burst from the decks of the Orient, the French flag-ship, of one hundred and twenty guns. In about half an hour, she blew up, with an explosion so appalling that for some minutes the action was suspended, as if by tacit consent. At this time, the French Admiral Brueys was dead. Although thrice wounded, the brave commander refused to leave his quarter-deck, and was killed by a chain-shot, before the ship took fire. Nelson had been carried below, with a wound, which was, at first, supposed to be mortal. He had been struck in the head with a fragment of langridge shot, which tore away a part of the scalp. His friends, however, and the whole ship's company, were soon

relieved by the cheering announcement of the surgeon that the wound was only superficial. But he was disabled from taking any farther part in the engagement. Faint with loss of blood, suffering from the anguish of his wound, and blinded by the lacerated membrane which hung down over his remaining eye, the heroic Admiral remained below, content with the assurance that the victory was won. About an hour after he had been hurt, Captain Berry came below to report the conflagration of the Orient, and Nelson was led on deck to witness the awful scene, as well as to observe, through the hideous glare, the condition of the fleets. He immediately gave orders to his first lieutenant to lower the only boat left in the Vanguard, and with such other boats as he could collect, to proceed to the relief of the enemy's men, beleagured in a wall of fire; for the humanity of Nelson was not less heroic than his valour and self-devotion. He then suffered himself, though not without much persuasion, to be led to his cot. His last act, that night, was to sign Captain Hardy's commission to the Vanguard, in the place of Berry, whom he had already determined to send home with the despatches announcing the result of that glorious day.

The victory was, indeed, won, before the explosion of the Orient. After that event, the French line was reduced to *the* six ships in rear of

Ch. 39. — 1798

the squadron.° But these still maintained the combat with the desperate bravery which distinguished the service of the Republic. At three o'clock in the morning four more of the French ships were destroyed or taken. There was then an interval of two hours, during which hardly a shot was fired on either side. At ten minutes to seven another ship of the line, after a feeble attempt at resistance, hauled down her colours. The action was now over. Of the thirteen French ships of the line, nine had been taken, and two had been burnt. The English had the mortification of seeing the remaining two line-of-battle ships with two frigates weigh anchor in the morning, and make their escape, without the power of preventing them. Nelson had thirteen sail of the line; but the Culloden, commanded by Trowbridge, his most trusted and valued captain, from the accident already mentioned, could take no part in the engagement. None of his ships exceeded the rating of seventy-fours, and all of them, as compared with the enemy, were under-manned. He had only one frigate, and a brig. Including the crew of the Culloden, he had eight thousand and sixty-eight seamen and marines. The French had also thirteen sail of the line; one of them, the Orient, carrying one hundred and twenty guns; three eighties; and nine seventy-fours. These,

° 'When L'Orient blew up, the six van ships had surrendered.' Nelson to Earl Howe, 3rd Dec.—*Nelson Despatches*, vol. iii. p. 230.

with four frigates, included a complement of eleven thousand two hundred and thirty men. The British killed and wounded were eight hundred and ninety-five. The loss of the French, including prisoners, was five thousand two hundred and twenty-five.

Nelson's complaint of want of frigates.

Such was the great battle of the Nile, the most brilliant, and the most important of the series of naval engagements which had sustained the reputation and assured the safety of the British empire from the arrogance of the common enemy of Europe. The victory would have been complete, had any frigates and small craft been attached to the British squadron. With such auxiliaries, none of the French transports in the harbour of Alexandria could have escaped destruction. "Were I to die at this moment," writes Nelson in one of his despatches, "*want of frigates* would be found stamped on my heart."

His presence of mind.

Though suffering great anguish and prostration from the wound in his head, the admiral forgot nothing, and omitted nothing, which his duty required. At the same time that he sent his despatches home, he wrote to the Governor of Bombay, informing him that the French had invaded Egypt, with an ultimate view to the invasion of India; but that he had annihilated their fleet, and thus removed immediate danger. This communication, informal as it was, had the effect of saving the East India Company a vast expenditure in preparations, which had been ordered for the expected approach

Ch. 39. — 1798

of the French army. The Leander, his only frigate, which Nelson had sent home with the despatches, was taken, off Candia, on the 18th of August, by one of the French ships which escaped from Aboukir Bay; but Nelson had sent duplicate despatches by the brig Mutine. The glorious news, however, which in these days would have been rung through England in forty-eight hours, did not reach London until the 2nd of October, two months after the action.[p] The joy and pride of the English people knew no bounds. The long and unsuccessful voyage in search of the enemy had given rise to murmurs; and wise people were heard to say, that the Government was unpardonable for having entrusted a command of such importance to a young rear-admiral.

The public were slowly and reluctantly yielding to this opinion, when a Gazette Extraordinary[q] announced in the concise and unadorned language

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[p] I have taken the account of the battle of the Nile from Nelson's despatches, and the accompanying statements of officers who were in the action. The true history of great deeds is commonly very unlike the dramatic version of them. One of the most striking particulars in SOUTHEY's narration is a dialogue which Nelson is supposed to have held with his flag captain before the action. 'Captain Berry, when he comprehended the scope of the design, exclaimed with transport, "If we succeed, what will the world say?" "There is no *if* in the case," replied the Admiral, "that we shall succeed, is certain; who may live to tell the story, is a very different question."' We are assured, however, on the authority of Captain Berry himself, that no such scene took place.—*Nelson Despatches*, vol. iii. p. 65.

[q] Admiral Viscount Hood to Lord Nelson, Oct. 15, 1798.

of a British commander, 'A great victory over the fleet of the enemy, at the mouth of the Nile.' The particulars were soon known. Thirteen out of seventeen ships burnt, sunk, or captured. The flag of England not lowered in a single ship. The name of Nelson and the Nile were in every mouth; and all men agreed that this was the greatest sea-fight England had yet won. There were not wanting competent judges deliberately to confirm the opinion which the multitude uttered in the fervency of their gratitude and joy. Lord Hood pronounced the victory 'the most complete and splendid history records.'[r] Admiral Sir Roger Curtis described it as 'an unparalleled victory;'[s] and Collingwood, one of the noblest of England's illustrious warriors, pronounced it 'the most decisive, and, in its consequences, perhaps, the most important to Europe that was ever won.'[t] Among the numerous letters of praise and homage which Nelson received from kings and princes, down to persons in a private and humble walk of life, some of the most touching, and probably not the least acceptable congratulations, were those which he received from women. Englishmen, from habitual reserve, or dislike of demonstration, commonly express less than they feel; but Englishwomen, of whatever rank, when their sense of reverence and admiration is deeply moved, can seldom restrain the generous effusions

[r] *Nelson Despatches*, vol. iii. p.85. [s] *Ibid*, p.86. [t] *Ibid*, p.87.

Ch. 39. — 1798

of their hearts. There are two letters in the published collection of Nelson's correspondence which contrast forcibly with the measured and official style in which potentates, statesmen, and commanders convey their sense of the merits and services of the man who with just pride described his achievement as a conquest rather than a victory. They are letters of congratulation addressed to Nelson by the Countess Spencer, the wife of the First Lord of the Admiralty, and of Lady Parker, the wife of a gallant veteran, the Port-Admiral at Portsmouth. 'Joy, joy, joy to you, brave, gallant, immortalized Nelson'—thus wrote Lady Spencer,—'. . . My heart is absolutely bursting with different sensations of joy, of gratitude, of pride; of every emotion that warmed the bosom of a British woman, on hearing of her country's glory—and all produced by you, my dear, my good friend.' In this strain the letter proceeds; and the English matron fondly associates the name of her husband with the fame of the hero of his choice. 'What a fair and splendid page have you and your heroic companions added to the records of his administration of the navy? and, as wife of that excellent man, what do I not feel for you all as executors of his schemes and plans!' Lady Parker, whose husband, when commanding in the West Indies, had been one of the first to perceive and bring forward Nelson's merits, writes in a transport of maternal pride and affection: 'My dear and immortal Nelson,—I am very sure that you know

what I feel upon your unparalleled victory. Captain Cochrane will tell you that I am not yet come to my senses. . . . . All Europe has cause to bless the day that you were born. . . . . I am very uneasy about the wound in your head. . . . A few months' relaxation in a cold climate will soon fit you for another enterprise; but should you continue in constant exertion of both body and mind, years, not months, will be required for your recovery. . . . . Sir Peter and I ever regarded you as a son, and are, of course, truly happy at your well-earned honours." [u] Ch. 39. — 1798

Nelson created a peer.

The honours and rewards which the Government thought sufficient for the services of Nelson were far from satisfying the gratitude and admiration of the country. The great Admiral was raised to the Peerage by the title of Baron Nelson of the Nile, and received the pension of two thousand a year, which is generally conferred for eminent military services. Sir John Jervis had been thought worthy of an earldom for the victory of Cape St. Vincent, in which Nelson himself bore a leading part. Duncan was made a Viscount for Camperdown. Both Jervis and Duncan were well entitled to their advancement; but great as were the victories of St. Vincent and of Camperdown, the victory of the Nile was greater than either; yet Nelson was admitted only to the tail of the peerage. It is satisfactory to record that the

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[u] *Nelson Correspondence*, vol. iii. pp. 74—83.

Ch. 39. 1798

great minister was not responsible for this ungracious parsimony. Pitt had recommended Nelson for a viscountcy;[x] but the King objected, on the ground that Nelson was only second in command; and the narrow formal mind could not understand how any degree of merit should weigh against a technical point of etiquette. If, however, it had been a question whether an Irish borough-monger should be bought with a barony or an earldom, the bargain would not have been suffered to go off upon a punctilio as to the man's pretensions to this or that degree of the peerage.

Exultation on the Continent.

All Europe rang with the fame of Nelson's victory. The great power itself which had been awed; the minor nations which had been deprived of their neutrality by that audacious democracy whose ambition was not content with ruling and domineering over one quarter of the globe, began to think the day of deliverance was at hand. Some

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[x] 'Mr. Pitt told me, the day after Captain Capel arrived [with the despatches] that you would certainly be a viscount; which I made known to Lady Nelson. But it was objected to in a certain quarter, because your lordship was not a Commander-in-Chief. In my humble judgment, a more flimsy reason never was given. But, in fact, your lordship stood in the situation of Commander-in-Chief at the mouth of the Nile, and could not possibly receive any advice or assistance at the distance of near a thousand leagues from Earl St. Vincent, and conquered from your own personal zeal, ability, and judgment.' Admiral Lord Hood to Nelson, October 15, 1798.—*Nelson Despatches*, vol. iii. p. 85. In fact, Nelson had only general orders 'to use his best endeavours to take, sink, burn, or destroy' the enemy's fleet, wherever he could find it.—*Nelson Despatches*, vol. iii. p. 25.

of these could not refrain from openly expressing their joy and hope. The Czar sent the British admiral a box set in diamonds, with a complimentary letter. The Grand Signior, by whose authority Bonaparte had proclaimed that he invaded Egypt to assert the authority of the Porte, against the usurpation of the Beys—ordered a note to be addressed to the British Plenipotentiary, with his congratulations on the joyful event, and his acknowledgment of the great service which Nelson had rendered to the Ottoman empire. This unprecedented condescension was accompanied by a wreath of diamonds taken from the imperial turban, and a fur pelisse, which he requested that the admiral might be permitted to wear. The Sultan also sent a present of money to be distributed among the crew of Nelson's squadron. The Court of Naples, which had with difficulty been induced to give Nelson permission to victual and water his ships in a Sicilian port before he sailed for Alexandria, so great was their terror of the French, became delirious with joy when the great news arrived. The King of Sardinia, who had been subjected to every humiliation by the French, preparatory to his intended expulsion from his kingdom, and had been compelled to refuse the British fleet admission to his harbour, sent Nelson a letter of thanks, and a royal present.

Nelson sails for Naples.

On the seventh of September, Nelson sailed for Naples. He left a few ships, which he could ill spare, to watch the entrance to the Nile; and,

Ch. 39. — 1798

before his departure, he addressed the most earnest entreaties to the Government at Constantinople to send bomb-ships and troops to destroy the French transports, and complete the destruction of the French army, already suffering severely from the climate, and the want of supplies. His primary object in returning to Naples was to obtain small craft, and to return to Alexandria to direct the destruction of the troop-ships. Had he effected this object, which seemed to be an easy undertaking, when compared with many things which he had done, Nelson had consummated a victory which would have altered the course of history, and prevented the fate of Europe.

Before Nelson could reach Naples, he was at the point of death. For nearly five years he had experienced no intermission of severe and anxious professional toil, except during the period when he was laid up with the loss of a limb. His long and anxious pursuit of the French fleet, with the eyes of Europe upon him, had excited his enfeebled frame to a dangerous pitch; and the wound which he received at the battle of the Nile would have completed his prostration, had he not been sustained by the pressure of business which necessarily followed the action. But when this pressure ceased, and the wearied frame should have enjoyed an interval of ease, fever took possession of it, and for eighteen hours, during his voyage to Naples, his life was in imminent danger. Even when the crisis had passed, he was so weak and emaciated,

that he thought his end approaching. He would have died gloriously, and with unblemished fame, had his eyes been closed in the cabin of the 'Vanguard' on that ill-omened voyage. But his work was not yet done.

The conqueror of the Nile was welcomed at Naples with a passion of exultation and joy. Coerced and intimidated by Bonaparte, the Neapolitan Court had, in the first instance, refused the succours which Nelson required to enable him to proceed to Alexandria. And when they had yielded, with fear and trembling, to the influence of the British embassy, they felt they had staked their existence on Nelson's success. The Queen, a daughter of Maria Theresa, the sister of Marie Antoinette, and the wife of a Bourbon, who might well be excused for the implacable hatred which she bore towards the French, had gone off in hysterical transports of joy, when the tidings arrived of the battle of the Nile. Lady Hamilton fell on the floor as if she had been shot. And these women, day by day, and hour by hour, could talk or think of nothing but their hero, the conqueror of the French, the saviour of Italy. When the crippled Vanguard, bearing the admiral's flag, appeared at the entrance of the bay of Naples, the whole population seemed to line the shore, and a fleet of boats led by the ambassador's barge, put off to the flagship. Lady Hamilton, when she saw Nelson, sprang up the ladder, and fell into his arms mute with joy, until tears came to her relief. Presently

Ch. 39. 1798

the royal barge came alongside, and the King came on board to welcome Nelson as his deliverer and preserver. Nelson took up his abode at the British Ambassador's house, and Lady Hamilton became his nurse and devoted servant. Such homage from a woman, renowned through Europe for her talents and graces, could hardly fail to produce an impression on the least susceptible heart; and Nelson had a sailor's sensibility for beauty. It is certain, however, that at this time Nelson had no other feeling for Lady Hamilton than that of warm and grateful friendship. The most pleasing letters in his published correspondence, are those addressed to his wife shortly after his return to Naples, describing, in the most artless manner, the honours which were paid him, the emotion of Lady Hamilton on his arrival, and her unceasing kindness.[y] He had been very unwilling to return to Naples, but his orders left him no discretion; and when he did return, his mind was intent on stimulating the slothful and cowardly

[y] September 25th, 1798. To Lady Nelson. After describing Lady Hamilton falling into his arms on the deck of the Vanguard, he says, 'I hope some day to have the pleasure of introducing you to Lady Hamilton; she is one of the very best women in the world; she is an honour to her sex.' Again, on the 6th October, 'The continued kind attention of Sir William and Lady Hamilton, must ever make you and me love them.' He must have been a very pitiful fellow who could have been capable of writing in this strain to his wife about a woman to whom he had transferred his affections. No letters to Lady Nelson are to be found after the 14th of October. The letters to Lady Hamilton, after that date, assume a warmer tone.

Ch. 39.

1798

Government and people of Naples, to take measures for their own defence. Amid the splendid festivities celebrated in his honour, and the blandishments of the Court, Nelson never for a moment failed to urge forward the stern business with which alone he was concerned. A week after his arrival, his birthday was commemorated by the most brilliant fête ever displayed even in this city of pleasure. But Nelson, though not indifferent to adulation, could not repress his contempt and impatience at the frivolity of a people, which seemed to take more interest in the success of a spectacle, than in the preservation of their country threatened with imminent danger. The day following this notable birthday celebration, Nelson wrote four lines to his friend and commanding officer, St. Vincent—'I trust, my lord, in a week, we shall be at sea. I am very unwell; and the miserable conduct of this Court is not likely to cool my irritable temper. It is a country of fiddlers and poets, whores, and scoundrels.'[z] To the King himself, the British admiral bluntly offered the alternative of taking up arms against France, or being kicked out of his kingdom. Nothing, indeed, but this paramount policy of resisting the ignominous thraldom which had already overspread half the continent, and threatened the whole of Europe, could have engaged the sympathies of a free people with such a Government as that of Naples. The kingdom of the

[z] Sept. 30.—*Nelson Despatches*, vol. iii. p. 138.

Ch. 39. — 1798

Sicilies, in 1798, was much the same as it was in 1860, when it finally ceased to exist. It was a Government of priests, and of police, headed by a Spanish Bourbon, the most degraded type of a degenerate dynasty. It had neither the power of internal improvement, nor of external defence, and was tolerated already by the great despotic powers, only as a part of the system of legitimate monarchy. On the other hand, there was a large and respectable party, comprising nearly all the public spirit and intelligence of the nation, with a large proportion of the higher classes, which was prepared to accept any change rather than endure longer the dull oppressive despotism of the Bourbons. The Government, indeed, had few supporters beyond the old devotees of divine right, the sycophants of the Court, and the Lazzaroni of Naples. Yet, these were the allies with which an imperious exigency obliged England to co-operate.

Movement of Russia.

Since the commencement of the Revolutionary wars, there had never been a fairer opportunity for making a stand against French aggression. The conqueror of Italy was shut up in Egypt. The victory of the Nile had aroused Europe from despondency. The Czar was moved at length to take an active part, and an army, under the renowned Suwarrow, was about to march. The Congress of the German States which had assembled at Rastadt at the close of the preceding year, ostensibly for the purpose of settling questions of boundary with France, but really for

the purpose of carrying into effect the secret articles of the treaty of Campo Formio, by which Austria and France had agreed to seize and partition the smaller German principalities between them, was, virtually terminated. The French having easily obtained all they had originally demanded, advanced new claims, so exorbitant, that it became evident no peace could be obtained from concession; and, in the summer of 1798, France and Austria made preparations for a renewal of the war. The Court of Vienna sent General Mack, their famous strategist, who planned the campaign of 1793, to organise and command the Sicilian army. Nelson never ceased to urge the expediency of putting this army into immediate motion, and defending the kingdom, by marching into the Roman States which were prepared to rise against the French. But this energetic advice suited neither the cowardly and half-treacherous Italian Government, nor the German pedant, who could not move without five carriages.[a] Much precious time was, therefore, squandered. Nelson himself sailed in the third week of October, with a portion of his squadron, to expel the French from Malta; intending to to proceed from thence to destroy their transports at Alexandria. But the importunities of the Neapolitan Court wrung from him a promise to return to Naples in November; their object being, as he well knew, to secure their escape under his

[a] SOUTHEY'S *Life of Nelson*, p.180.

Ch. 39. — 1798

protection, in the probable event of their army being scattered, and the kingdom lost. On his arrival at Malta, Nelson had a practical proof that the wretched Government which he had made, and was making, such efforts to preserve, was past redemption. He had been assured that the Governor of Syracuse had received orders to send arms and munitions to the inhabitants of Malta, who had risen against the French, and forced them to take refuge in the town of Valetta. But no supplies had been sent, and the Governor of Syracuse had received no orders. The Neapolitan Government would do nothing which they thought the English would do for them, and they thought the English could do everything. Had not the Maltese been supplied with a few hundred stand of arms, and some barrels of gunpowder from the fleet, they must have given up the gallant struggle. Yet the King of the two Sicilies claimed Malta as a part of his dominions, and Nelson had gone to support and establish that claim. The island of Gozo surrendered to Nelson's summons; and having left one of his best officers, Captain Hall, with a small blockading squadron, the Admiral, having remained only a week before the island, returned to Naples. On his arrival, he was met with clamours from the Court for pecuniary aid from England, without which they declared they could make no progress; but Nelson told them plainly that until they had made every possible exertion to help

themselves, they must expect no money from England. He found Mack at the head of an army of thirty thousand men, the finest army in Europe, as he called it. With this army he was to march to Rome, with the view of being ultimately supported by an Austrian force. A small expedition, under the immediate direction of Nelson himself, proceeded to Leghorn, which immediately surrendered. The port was full of French privateers, and Genoese ships laden with corn, destined for French harbours; yet the Neapolitan General hesitated to seize, or even to detain these ships, under the absurd pretence that Naples was not at war with France. After much difficulty, General Naselli was induced to lay an embargo on the vessels until he received instructions from his Government. Nelson then returned to Naples, leaving Troubridge with three ships. Troubridge immediately proceeded to settle the question as to the fate of the French ships in the harbour, after the fashion of his great commander. He desired Naselli to seize the ships, or to let him do it; and after trying in vain to convince 'the old fool,' as the blunt English captain described the Neapolitan commander, that the march of the Sicilian army to Rome was an act of war against France, he at length gained his point by threatening to withdraw his squadron.[b]

[b] Trowbridge to Nelson, 4th December, 1798.—*Nelson Despatches*, vol. iii. p. 182, note.

Ch. 39. — 1798

Whatever was done under the direction of Nelson or his captains had a successful result; but no confidence could be placed in operations remote from their influence. The King had accompanied his army to Rome. The right wing, consisting of nineteen thousand men, under General St. Philip, encountered three thousand French troops, near Fermi. After a little distant firing, which resulted in the loss of forty men, St. Philip went over to the enemy. Michaux, the second in command, ran away; his officers followed his example; all the infantry dispersed, and would have been cut to pieces, but for the good conduct of two regiments of cavalry, which made a stand. But all the artillery, the tents, baggage, and military chest, were abandoned to the enemy. Within a week after this infamous affair, Mack reported that he had no hope of stopping the progress of the French, and advised the royal family to abandon Naples without delay. The King, who had loudly vaunted his determination to conquer or die, quitted the army, on the first check it received, and returned to Naples. On the night of the twenty-first of December, the King and Queen, with the family, were conveyed under the immediate superintendence of Nelson on board the Vanguard. Treasure, to the value of two millions and a half, had already been secretly removed to the British ships, as it was feared that the Lazzaroni, who were the only part of the nation that had displayed any public spirit or fidelity, would resist the King's

departure from his capital. They did, in fact, raise a riot; several lives were lost, and it was with difficulty that His Majesty made his escape from his too loyal subjects. The British Ambassador and Lady Hamilton, accompanied the Court. Their destination was Palermo; the island of Sicily offering a secure retreat while the English fleet had the command of the Mediterranean; and the loyalty of the Sicilians leaving no ground for apprehension of an internal revolt.

The city of Naples, thus abandoned by the King and the army, and betrayed by the sycophantic cowardice of the nobles, rather than by any desire to see their country converted into a French republic, was defended by the rabble with so much gallantry, that it was not until after several days' hard fighting, the invaders effected an entry. The French general, Championet, immediately decreed the abolition of royalty, and proclaimed the Parthenopean republic.

Movements of Austria.

Meanwhile military preparations on the most extensive scale had been made by Austria. Early in the spring, two great armies took the field. The Archduke Charles, at the head of seventy-six thousand men, advanced to attack the French, who had crossed the Rhine, seized the fortress of Mannheim, and laid siege to Philipsburgh. After several obstinate engagements, the French were compelled to retreat across the river. But the expulsion of the French from Italy was the great object of the Imperial army; and the forces of the

Ch. 39. — 1799

Czar were ordered to co-operate with the Austrian army of Italy. Before the Russians came up, the French general Schérer attacked the imperial troops, and, being defeated at Castel Nuovo, and Magnano, was forced to retreat upon a defensive position on the Adda, and on the great fortresses of Mantua and Pizzighitone. At this juncture, fifty thousand Russians, under Suwarrow pressed upon the French retreat; and the movements of the Russian general, skilful, prompt, and vigorous, inspired confidence throughout the subjugated states of Italy. Schérer, finding as so many of his predecessors had found that the Republic would not be served by an unsuccessful general, resigned his command to Moreau. The new general, urged by the Directory, was forced to risk a premature action, under unfavourable conditions. The result was, that he suffered a defeat, with the loss of seven thousand men and a hundred pieces of cannon. Moreau succeeded, however, in effecting a retreat on Genoa. Macdonald next attempted to arrest the victorious progress of the Russian general; and a great battle, which lasted two days, was fought on the banks of the Trebbia. The final result was that the French were driven through the passes of the Apennines, and, after a campaign of four months, Genoa alone, of all the conquests of Bonaparte in Italy, acknowledged the authority of the French Republic.

Macdonald at Naples.

Macdonald had succeeded Championet in the government of Naples; and, by the rigour and

rapacity of his administration, had exasperated the hatred of the people towards the French; and, therefore, when Macdonald quitted the city to take the field against the Russians, secret preparations were made for a revolt. Cardinal Ruffo, who had recently been appointed Vicar-General, and was armed with full authority, organised a force which he called the Christian army in Calabria. About three hundred men were collected in the first instance; and the little band, having received accessions from all quarters, until it amounted to twenty-four thousand, the motley army marched to Naples. The city and the anchorage of the bay were commanded respectively by the forts of St. Elmo, Uovo, and Nuovo. It was manifestly impossible to advance, without securing at least one of these positions—the command of the seaboard, or of the town. St. Elmo, which overawed the city, was garrisoned by the French; the other two forts were in the possession of native revolutionists, most of whom had taken up arms, not so much to welcome the French, as to take advantage of the only opportunity likely to happen of redressing the intolerable grievances of their Government. To these people, Ruffo addressed himself, and, knowing their quality, he proposed that they should surrender, on a guarantee for their protection in person and property. These were liberal terms; but the reduction of the forts, if it could have been accomplished by such a force as Ruffo's, would have taken time; and the French

Ch. 39. 1799

fleet might arrive to relieve the place at any moment. The terms were approved by the Russian and English commanders, and by Captain Foote, of the Sea-horse, the only British man-of-war on the station. The forts were given up, and the capitulation was signed by the Cardinal, in the name of his Sicilian Majesty, and by the representatives of his allies. Nelson was at this time cruising with his squadron in search of the French fleet, which had eluded the blockade at Brest, and was returning to Naples with his fleet largely reinforced, when he was informed that an armistice had been agreed upon between Ruffo and the garrisons of Uovo and Nuovo. He arrived at Naples on the 24th of June. The capitulation had been signed on the previous day; but, as the arrangements for carrying it into effect were not yet completed, flags of truce were still flying on the Castle, and in the Sea-horse. Nelson immediately signalled to terminate the truce; and assuming that the flag merely covered a negotiation, either party had a right to take this step. But Nelson believed that he was annulling an *armistice*, which is definite in its terms, and binding like any other treaty. The only ground on which such an engagement can be set aside, is an excess of authority by an agent of the party desiring to repudiate it; and, even in such a case, a nation, jealous of its honour, would hesitate to disavow a treaty which had been concluded in good faith, and by which the position of the other contracting

party had been altered for the worse. The justification of his conduct, which Nelson has himself recorded, unhappily disposes of every apology which has been or could have been urged in its extenuation. He assumed, that an armistice for twenty-one days had been agreed to, on the condition that if the place was not relieved at the expiration of that time, it should be surrendered. But he argued, that such an armistice imported that if either party, should be reinforced before the lapse of the stipulated period, the armistice was at an end. In other words, that the compact should be observed, unless it suited either party to break it. No such armistice had, in fact, taken place; nevertheless, yielding to the infatuation which had taken possession of him, Nelson was ready to tarnish his own hitherto unsullied honour and the fame of the country for which he had often risked his life. In order to gratify the vengeance of the Neapolitan Court, Nelson was determined to trample upon treaty, truce, or armistice; and, as there could no longer be any question as to the reduction of the three forts, with the ships of war at his command, he peremptorily set aside the capitulation, and summoned the forts to surrender at discretion. It has been alleged, in apology for Nelson, that Cardinal Ruffo exceeded his instructions; and Nelson himself asserts, in a letter to Lord Spencer, that on his arrival at Naples, 'he found an infamous treaty entered into with the rebels, in direct disobedience of his Sicilian Majesty's

Ch. 39. 1799

Ch. 39. — 1799

orders.'[b] The order which Ruffo is thus charged with having disobeyed, must have been an express order not to treat with the French, or with the rebels; and such an order would have been a definite limitation of the full powers conferred upon the Cardinal by his commission as Vicar-General of the kingdom. The production of this order would have settled the question; but Lord Nelson's papers, though containing many minute details with reference to the surrender of the Neapolitan forts, do not furnish a particle of evidence upon the only point which is material to the Admiral's justification. On the day after the arrival of the British squadron, Ruffo went off to the flag-ship, to remonstrate with Nelson against the rejection of the treaty. The conference lasted for several hours, during which Nelson and the Hamiltons in vain endeavoured to convince the Cardinal that the King might refuse to ratify articles of capitulation which had not yet been carried into execution. In this interview, the argument urged by the Court party implied no more than a disapproval of the *discretion* which the Cardinal had exercised; if his *powers* were denied, it would not have been necessary to protract the discussion for hours. Five minutes would have sufficed. But the Cardinal had never heard it questioned, until it was denied by a British officer and a British ambassador, that a

[b] July 13th, 1799.—*Nelson Despatches*, vol. iii. p. 406.

general at the head of his army, was not competent to conclude a purely military convention without the sanction of his Government. The Cardinal retired with an unavailing protest; and Lord Nelson, instigated by two bad women, proceeded to violate a sacred engagement,[c] to which one of his own captains representing the British flag, had been a party, and to which the representatives of Russia and the Porte had set their hands. The garrisons of Uovo and Nuovo, unable to offer any resistance, surrendered at discretion. The French, who had been promised a free transport to Toulon, under convoy, were treated as prisoners of war. The Neapolitans, who called themselves patriots, and of whom many deserved the name, were delivered up to the vengeance of the cruel and cowardly Government, unworthily restored to power.

Prince Caraccioli.

But the whole of this sad story has not yet been told. Among the numerous persons who quitted the castles of Uovo and Nuovo, before the capitulation was Prince Caraccioli, a Neapolitan of high rank, and an admiral in the service of his Sicilian Majesty. This man had accompanied the King's flight to Palermo, but had been permitted to return to Naples to save his large estates from the confiscation which had been decreed by the French against the property of absentees. Caraccioli, however, soon found, as might have been foreseen,

[c] Captain Foote's own words.—*Nelson Despatches*, vol. iii. p. 486.

Ch. 39. — 1799

Seizure of Caraccioli.

that he was a person of too much importance to be suffered to remain in retirement and neutrality. He was in a manner compelled to accept a commission under the new Republic; and he commanded some gun-boats, which fired into the Minerva frigate. After the re-establishment of the King's authority at Naples, Caraccioli wrote to the Duke of Calviranno for protection; but, not receiving a satisfactory answer, fled to the mountains. He was soon after taken in the disguise of a peasant, and brought on board Lord Nelson's ship, the Foudroyant. It was only a few weeks since the prince had been received on board the same ship, with the honour due to his rank, and welcomed by Nelson as his friend and companion in arms. The old man—he was seventy years of age—was now hurried on board, in squalid attire, scared, bound, and manacled. Captain Hardy, when informed of the quality of the prisoner, personally interposed to rescue him from the insults and threatened violence of the Neapolitan rabble who loitered in the ship. His fetters were removed, and he was placed in a cabin with two sentries at the door. Stern duty would, perhaps, have justified the British admiral in transferring Caraccioli to the Sicilian authorities, although such a proceeding would have consigned the prisoner to certain death. But Nelson, by an exercise of authority, as unnecessary as it was illegal, condescended to anticipate the cruelty of the vile Court of which he had constituted himself the servant and the

tool. He immediately issued an order to Count Thurn, the senior officer in the Sicilian fleet, to hold a Court Martial on Caraccioli, on board the British flag-ship, and to report to him the finding of the Court. There was not a shadow of authority for such a proceeding. The British Admiral held no commission in the service of his Sicilian Majesty, nor was he empowered by his own Government to accept such a commission, if it had been offered. Lord Nelson merely commanded a squadron under the orders of Lord Keith, the Commander-in-Chief in the Mediterranean. He had power to try and punish breaches in the articles of war in the ships under his immediate orders, but he had no power, and he knew that he had no power, to interfere in the internal discipline of the auxiliary fleets which served under him for the common purposes of the war. If he could order a Court Martial on an officer of his Sicilian Majesty, he could try an officer in the Russian, in the Portuguese, in the Turkish fleet.[d]

[d] In expressing his disapprobation of the conduct of Commodore Campbell for hastily destroying the Sicilian ships in the Bay of Naples, to prevent their falling into the hands of the French, Nelson writes thus:—'I feel that his Sicilian Majesty has great cause for displeasure; and was Commodore Campbell an English officer, I should instantly order him to be tried by a Court Martial, for the positive breach of my orders to the Marquis de Niza [the Portuguese Admiral]. *I am sorry it cannot be done by me to any auxiliary squadron.*' To Sir John Acton, the Neapolitan Minister, January 15, 1799.—*Nelson Despatches*, vol. iii. p. 233.

Ch. 39. — 1799

A Court Martial composed of Neapolitan officers was not long in trying a man against whom any evidence of disloyalty could be found. It was proved that Caraccioli had held a command in the rebel fleet, and that he had fired on the Sicilian flag. His defence was that he had acted under duress, and that he had been compelled to serve as a common soldier before he accepted a command. He asked for time to produce his witnesses; but he was allowed no time. He might possibly have found it difficult to satisfy a Court, before which the proceedings were regularly and fairly conducted, that any people would be so rash as to force a command upon an officer who was friendly to their foe; but the improbability of the defence was no ground for refusing to hear the witnesses. The Court Martial—if Court Martial it could be called—under the presidency of the officer into whose ship the prisoner was charged with having fired, had no difficulty in finding the prisoner guilty, and sentencing him to death. This finding was reported to the British Admiral, two hours after he had signed the order for the trial. Nelson directed that the sentence should be carried into execution at the yard-arm of the Minerva, at five o'clock.

Caraccioli sent a message to the admiral, through Lieutenant Parkinson, the officer who had charge of his person, requesting a new trial, on several grounds; among others, on the fact that Count Thurn, the President of the Court Martial

by which he had been condemned, was his personal enemy. But Nelson replied that his trial had been fair, and that he must abide the result. The Prince then prayed that, in consideration of his age, rank, and former services, he might be shot. But even this mercy was refused; and the venerable nobleman, who had faithfully served his sovereign for forty years, was hanged at the yard-arm of a ship which had once been under his command. Lady Hamilton, who refused to see Caraccioli before his death, was present at his execution. A horrible incident to this painful tale is usually narrated, but is only worthy of notice as displaying a trait of sycophantic baseness on the part of the husband of the woman, whose baleful influence had tarnished Nelson's name, which in a man of English birth, is hardly to be paralleled. The body of Caraccioli had, by Nelson's orders, been taken out to sea and sunk. About three weeks after the execution, a fisherman hailed the flag-ship, and announced that the Prince had arisen from the bottom of the sea, and was swimming to Naples. This strange tale reached the ears of the King, and, to gratify his curiosity, the ship was steered in the direction indicated by the fisherman. They had not proceeded far before the ghastly apparition was visible, moving towards the ship. The corpse, owing to chemical changes which take place in drowned bodies, had risen to the surface, notwithstanding a great weight of shot which had been

Ch. 39. — 1799

attached to it. It was considered necessary that any disagreeable impressions which this incident might suggest to the royal mind should be averted, and Sir William Hamilton undertook the delicate task. He told the King that Caraccioli could not rest until he had come and implored pardon of his Majesty himself for his crimes against him.[e] Such was the loathsome adulation ministered, not by a slave to an eastern despot, but by the representative of the British Crown to a Christian king.

The restoration of the royal authority at Naples was celebrated by the license of the rabble, who have ever been the most loyal subjects of the Bourbon dynasty. After the populace had been satiated with indiscriminate massacre, violence and rapine, justice was executed on the rebels, or rather the vengeance of the Court was let loose on its political opponents, among whom were included almost all the virtue and intelligence in the city. The fort of St. Elmo surrendered to Captain Troubridge, after a siege of eight days, and the garrison marched out with the honours of war. Capua and Gaeta shortly afterwards capitulated on the same terms.

The kingdom of Naples being now freed from the invaders, the Court returned to Palermo, to

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[e] CLARKE and M'ARTHUR'S *Life of Lord Nelson*, vol. ii. p. 187. These writers, though dull and incapable of exercising an independent judgment on the conduct of their hero and his friends, are nevertheless honest and painstaking. They greatly admire Sir William's tact and address on this occasion.

resume the pleasures which had been so rudely interrupted by the French. Rome, however, was still occupied by the enemy; but the garrison, with an effective strength of two thousand five hundred men, was wholly inadequate to the defence of the city with the fortress of Civita Vecchia. Nelson applied to Sir James Erskine, the Commandant at Minorca, to aid an expedition against Rome, with twelve hundred men; but Sir James having declined to undertake such a responsibility without orders, Nelson determined to send Troubridge with a small force to summon Civita Vecchia, while General Boucard, a Swiss officer in the Neapolitan service, should march with a few regiments on Rome. This daring attempt was completely successful. The French, who knew that an Austrian army was advancing upon Rome, preferred surrendering to the English. Accordingly, after some parley, Civita Vecchia was given up to Troubridge; and Louis, another of Nelson's captains, took possession of the city of the Cæsars. Two days after[f] the capitulation had been signed, the Austrian General encamped under the walls of Rome, and could with difficulty be convinced that he had been disappointed of his plunder by the promptitude and energy of a British commodore. It was, however, to the military successes of the Imperial and Russian arms, and especially to the great victory of Novi, which had been won in

[f] September 22nd.

Ch. 39. — 1799

August, that Italy was mainly indebted for her deliverance from the French yoke. The plan of the Russian General was to attack the French in Genoa, while the Archduke pressed them in Switzerland, and ultimately to invade France with the united armies. But this great plan was defeated; and the bright prospects of Europe were again obscured by the differences which had arisen between the allied powers. The Imperial Court had renewed, with views more exclusively selfish, a policy more shallow and perverse than had ruined the common cause in former campaigns. The restoration of the French monarchy, which England had originally proposed, and which Russia now proposed, was not the object which Austria desired. Neither, on the other hand, did she wish well to a Government founded on the ruins of legitimate authority. She dreaded the propagation of revolutionary principles in Italy, lest her own arbitrary Government should be endangered; and she was not less unfriendly to the establishment of the Italian States, as being adverse to the aims of her avarice and ambition. The military capacity of Russia, so signally displayed in the late campaign, excited her jealousy; and the naval ascendancy of Great Britain on the seas, which she could not emulate, she could nevertheless regard with malevolence. Suwarrow, after his brilliant campaign in Italy, had hastened to effect a junction with the Austrian army in Switzerland. On his arrival, after encountering great difficulties in his march, he found

that Kersakoff, his lieutenant who had been previously detached with a division of the Russian army to co-operate with the Austrians, had suffered a disastrous defeat at Zurich. A quarrel took place between Suwarrow and the Archduke Charles; so serious that the two generals would hold no correspondence. The old Russian Marshal, finding himself in a manner deserted, and his army reduced to thirteen thousand men, was forced, for the first time after forty years of command, to make a retreat. This movement he effected with his usual skill and success; but the Czar, indignant at the conduct of the Austrians, ordered his army to return to Russia; and his faithful general was involved in the indiscriminate fury with which Paul was transported, after the manner of barbarous despots. Suwarrow, whose fame resounded through Europe, languished and died in disgrace soon after his return to St. Petersburg. The main result of the great campaign was the expulsion of the French from the Italian peninsula; that they were not driven out of Switzerland was wholly due to the mean and perverse policy of the Cabinet of Vienna. The Austrians might, but for envy of a too glorious ally, have finished the campaign in France; but they chose to forego the military advantages they had themselves gained, rather than aid the rising reputation of a rival. In October, the Imperial and the Republican armies occupied much the same situation they had occupied in April on either bank of the Rhine.

Ch. 39. — 1799

Early in the year, the British Government projected an expedition to Holland with one of the largest armies that had ever been sent from the island. Thirty thousand men were destined for this service, and the Czar undertook to furnish seventeen thousand troops. Whatever might be the military fortune of such an enterprize, it is obvious that its ultimate success in a military, as well as in a political sense, must depend upon the favour of the people, whose territory was to be invaded. But no enquiry was made whether any aid might be expected from the Dutch themselves, or whether they would be disposed to welcome their deliverers. It was intended that the army should land on the northern coast of Holland, and march to Amsterdam; but on the last occasion, when the English had attempted to defend Amsterdam against the French, the people had risen upon them, and forced them to quit the country. Since that time, the English had destroyed the Dutch fleet. It was supposed, however, that the experience of the last six years had altered the sentiments of the people. But they had made no complaint; they had not asked for the interference of England, nor of any other power at war with the French. The English Government could not keep their secret, so well as the enemy could keep his; and it was well known for what purpose preparations were making at Portsmouth. These preparations commenced early in the spring, and the summer was far advanced before the first division

of the army had embarked; but, during that interval, no sign of encouragement was visible from any part of the United Provinces. The people were, no doubt, impatient under the exactions of the French; but they were accustomed to exaction, for they had long been subjected to higher taxation than any people in Europe. Holland was not one of those nations which had been suddenly and strangely forced to assume the name and forms of a republic by the Paris Propaganda. Centuries before the French Revolution, the United Provinces had been familiar with republican institutions; and, for many generations, the country had been distracted by the contentions of the party which professed to uphold the independence of the States against the ascendancy of one illustrious house in which the office of chief magistrate was hereditary. The Stadtholderate of the house of Orange had been abolished mainly by the influence of Amsterdam, which was the centre of political action and power; and it was at Amsterdam that it was proposed that the banished Prince of Orange should be restored to the Stadtholderate by English and Russian bayonets. The Low Countries were, in fact, the last place in which the cause of the European powers against French democracy could be successfully fought; and of all the provinces, the great state of North Holland, of which Amsterdam was the capital, was the worst battle-ground which could have been chosen. To complete this ill-planned expe-

Ch. 39. — 1799

dition, the general selected for the chief command was the same general who had been recalled from the same scene of action for incompetence or ill fortune five years before. And during those five years, in which so much military experience might have been gained, the Duke of York had not been employed in active service. It has been alleged that the King insisted on his son's appointment to this arduous duty. There can be no doubt that the King urged the appointment; for it would be absurd to suppose, that the Minister, who had felt it his duty to remove the prince from a subordinate command in 1796, would name him to the chief command of a great army destined for a most important service in 1799. But his Majesty's pleasure could not relieve the Minister from his responsibility. It was for Mr. Pitt, and not for the King, to decide who should lead a British army in the field; and if Mr. Pitt had represented to his Majesty, with the firmness that became him, and which he could maintain when he thought fit, that his royal highness was not the proper person to be appointed, the King would probably have given way without much pressure. George the Third had many faults; but he was not wanting in public spirit, nor was he incapable of practising self-denial.[8] He was tenacious of

[8] 'I asked Lord Melville the truth of an anecdote which had been told me respecting his father:—That when he entertained the king at Wimbledon, his majesty filled a glass of wine, and drank the following toast—'Here is the health of that Minister

patronage, and gave away more places than any sovereign of this country, before or since. But his object was not so much to usurp the constitutional function of his Minister, as to maintain his parliamentary interest; and he was the last man in his dominions who would wilfully jeopardize their interests by jobbing and favouritism.

Defeat of the Dutch.

The first division of the British army, consisting of about twelve thousand men under Sir Ralph Abercromby, embarked for the Helder on the thirteenth of August, but was prevented landing by stress of weather until the twenty-seventh. They were opposed by a force of more than ten thousand men under General Daendels, and, after an obstinate conflict of ten hours, which the British sustained without artillery or cavalry, the Dutch gave way, and abandoned the Helder, with one hundred pieces of cannon, to the English general. A reinforcement of five thousand men, under General Don, arrived the next day; and on the thirtieth of the month, the thirteen men of war in the Texel, being chiefly the remnant of De Winter's squadron, which had escaped after the battle of Camperdown, surrendered without firing a shot to Admiral Mitchell, who acted under the immediate orders of Lord Duncan. According to the statement of the Dutch admiral, his crews

who had the confidence to oppose the King's opinion as to sending our troops to Egypt, and to whom, therefore, the success of our arms in that quarter is, under God, to be attributed.' Lord M. said it was perfectly true; and it was the most flattering compliment his father had ever recorded.—*Locker*, MSS.

Ch. 39. 1799

mutinied, and refused to fight. From the first to the eighth of September, Abercromby continued his advance slowly and cautiously, still gaining the advantage in several minor encounters with the Dutch. On the fourteenth, the Duke of York landed at the Helder with three brigades of British troops, and the first division of Russians, consisting of seven thousand good troops. The allied army now amounted to thirty thousand men; and the Duke of York determined to push forward, before the Dutch should have obtained reinforcements, still calculating on the dutiful response of the people to the proclamations of the Prince of Orange.

Difficult nature of the country.

No country in the world afforded such facilities for arresting the progress of an invading army as the Netherlands. The canals, the dykes, the banks with which the soil is traversed render it almost impassable; and in the last resort, the ocean itself could be summoned as an ally. In addition to the difficulties created by the art of civil engineers, hardly less formidable than the works of Vauban or Cohorn, there were numerous sandhills and villages which afforded excellent positions for a defensive force; and of these the Dutch general had not omitted to avail himself. It was not the fault of the Duke of York that he found himself in the face of difficulties which would probably have baffled an able and experienced general. The campaign had been planned in London; and the British commander

had no discretion beyond the disposition of his forces in the field. Under these disadvantages it became necessary to risk the fate of the enterprise on a general action. The Duke disposed his army in four divisions. The left wing, under Abercromby, was to turn the enemy's right, which rested on the Zuyder Zee. Two other positions were to be forced by the central division; but the most arduous duty, upon the due performance of which the fate of the day depended, was assigned to the Russian General D'Hermann, of whom, and the force under his command, the British commander could know nothing. These troops were destined to attack the heights of Camperdyne, to storm the villages beneath the heights, and finally to occupy the town of Bergen. The divisions of Sir Ralph Abercromby and Sir James Pulteney, consisting of disciplined troops, and guided by skilful officers, performed the duties assigned to them; and had the right wing been equally steady, the fortune of the day would have been different to what it was. But the Russians rushed forward with wild impetuosity. Impatient to be the first in the field, they would not wait till daylight. The violence of their onset carried the first positions of the enemy; but they soon became involved in confusion; amidst the mist and darkness they could not distinguish friend from foe, and they suffered more from their own guns than from the fire of the French in front of them. The French general, when he saw the state of affairs,

Ch. 39. — 1799

judiciously fell back before his barbarous assailants, who pressed forward until they became an armed mob, separated from their officers, and far in advance of their supports. Hurrying forward in this manner, though galled by an incessant flanking fire from the French infantry, which had dispersed as riflemen among the hedges and behind the banks, the Russians at length reached the town of Bergen. Here they found artillery and cavalry drawn up in such a manner as to ensure their destruction if they advanced; and after a desperate resistance, during which their general, D'Hermann, was taken prisoner, the whole division made a rapid retreat, until they halted near the position which they had quitted before dawn. In a few days, the Duke of York made a second attack on Bergen, and, after a hard struggle, in which the loss on either side was nearly equal, he succeeded in obtaining possession of the town. But far from having made any material progress, the position of the army was worse than at its first landing. The inhabitants gave them no encouragement, while the levy of the French was met with alacrity. Losses in battle, with the usual casualties of an army in the field, more destructive than fire and sword, had thinned the ranks of the invaders, while the opposing armies were rapidly augmenting. The season was far advanced; a forward movement was hopeless; and even a retreat could not be effected without great loss. In these circumstances, Sir Ralph Abercromby,

with the concurrence of the other generals, advised his royal highness to abandon the enterprize; and their representations having been submitted to the cabinet,[h] the Duke of York was ordered to make terms for the withdrawal of the army from Holland. The negotiation was not protracted. The Dutch were unwilling to exasperate an enemy which might open the sluices and inundate the country. The French were satisfied with the utter failure of the enterprize. The restoration of the Dutch fleet was at first demanded; but these terms being peremptorily refused, it was ultimately agreed that the British should surrender the Helder in the same condition in which they found it; that eight thousand French and Dutch prisoners should be released, and that the allied armies should evacuate the Low Countries before the end of November. Such was the end of this ill-conceived expedition, which was only redeemed from utter failure by success in a subordinate detail unconnected with the main design. The capture of the ships in the Texel, had it been a separate undertaking, would have ranked among the brilliant exploits of the war; but it was weighed down by the disaster of the great military enterprize. Fortunately, however, for the fame of England, and the safety of the British dominions, if not the British isles, her military

[h] Duke of Portland to Lord Cornwallis, Oct. 14, 1799.—*Cornwallis Correspondence*, vol. iii. p. 136.

Ch. 39. — 1799

blunders and disasters were compensated by the irresistible prowess of her fleets, and the skill and conduct of her naval commanders.

Sir Sidney Smith.

When Nelson removed his squadron to the Bay of Naples, he left a small force to blockade the port of Alexandria; and the Government justly attached so much importance to this service, that they sent Captain Sir Sidney Smith with a broad pennant in the Tiger, an eighty-four gun ship, to assume this particular command. Smith, however, soon after his arrival, ascertained that the French, instead of attempting to reach their transports, had marched into the interior with the design of overpowering St. Jean d'Acre, which would give them the command of Syria, and facilitate their progress, either to Constantinople, or to India. The Porte had invested a native chief Djezzar, lately a formidable rebel, but now actively engaged in opposing the common enemy, with the pachalics of Egypt and Syria. The Pacha was prepared to defend Acre, and the English commodore determined to proceed in the Tiger to his assistance, having previously despatched the frigate Theseus on that service. In his way, Sir Sidney Smith had the good fortune to fall in with and capture the French flotilla of gun-boats, containing the battering train for the siege of Acre, which had eluded the blockade of Alexandria. Bonaparte, in his march to Acre, had reduced the forts of El Arish, Gaza, and Jaffa. At the last-mentioned place, he put the garrison

to the sword, on the pretence that they were prisoners who had been liberated on parole at El Arish. But his attempt to justify the murder by traducing the honour of his victims only aggravates the atrocity of his conduct. Bonaparte was a genuine child of the Revolution. No fear of God or man influenced his actions. No feeling of humanity, no sense of honour ever checked the career of his ambition, or restrained him from any word or deed which his interest, or the exigency of the moment seemed to require. His proceedings in Egypt were a tissue of cruelty, blasphemy, and lying. The troops destined to march over sands and inhospitable deserts, were told that they were going to a land flowing with milk and honey, and that every soldier on his return to France would be rewarded for his services with six acres and a-half of his native soil. The people of Egypt were told that the French were true Mussulmans, and that they came as the allies of the Sultan, to deliver the country from the tyranny of the Beys. The inhabitants who would not believe these professions, and who dared to resist the invader, were given up to plunder and massacre. The most atrocious acts of the army of Egypt were perpetrated either with the connivance, or at the instigation, or by the express orders of Bonaparte himself. His entrance to Alexandria, was celebrated by a general massacre of the inhabitants, without distinction of age or sex. It was Bonaparte who provoked, and afterwards punished by

Ch. 39. — 1799

a like massacre the insurrection of the people of Cairo. At Jaffa, the order for the murder of nearly four thousand prisoners of war was given under his own hand, and, in person, he superintended the execution of a command which his own officers, rude and unscrupulous as they were, obeyed, with murmurs of indignation and disgust. Bonaparte was not the first conqueror, who, from a cruel policy, has put prisoners to death; but Bonaparte was the only military chief, so far as history affords an authentic record, who sought to dispose of his own disabled soldiers by putting them to death. It is a well-established fact, that after the retreat from Acre, Bonaparte proposed to the medical officers at the hospital at Jaffa to get rid of the sick by poison. The only question is, as to the extent to which this remedy was applied.

Siege of Acre.

The massacre of the garrison of Jaffa had the effect of making the troops of Djezzar fight with the desperate resolution of men who foreknew the fate of submission or defeat. The defences of Acre were in bad condition, and on the land side not a single gun was mounted. The place was in fact pronounced by Sir Sidney Smith not to be defensible, according to any rules of art, nor, of itself, worth defending. But the English commodore determined, nevertheless, that it must and should be defended, for the purpose of stopping the progress of French conquest, and convincing the multitude assembled on the surrounding

heights that the invaders were not invincible.[1] Weak as the place was, the loss of the battering train greatly protracted the siege. For fifty days, a series of assaults on the one side, and of *sorties* on the other, were attended with no other result than loss of life. At length a few field-pieces which the French had brought with them effected a practicable breach in the crumbling walls; and, at the same time, a fleet of transports under Hussein Bey, which had been anxiously expected, anchored in the roads. Bonaparte determined on storming the place before the reinforcements could be landed. An incessant cannonade was kept up by the French all the night of the 7th of May, and in the morning, the storming parties advanced to the breach. The newly arrived troops had by this time nearly disembarked, and were forming on the shore; but the English commodore, who was eagerly watching the operations, seeing that they would not be in time, hastily collected a few boats' crews and led them into the breach. The appearance of a handful of sailors in the foremost post of danger, inspired more confidence among the soldiers of Djezzar than all the troops of Hussein, or any other reinforcement of their countrymen could have done. The French had by this time obtained possession of a portion of the works, and the tri-coloured flag streamed from one of the towers. They pressed forward to the great breach

Ch. 39. 1799

[1] See Sidney Smith to Lord Nelson, 2nd May.

Ch. 39. — 1799

fifty yards in width, and here a deadly struggle, hand to hand, took place. The assailants at length gave way, and ultimately retired, after repeated efforts at different points to carry the place by assault. Baffled in fair and open conflict, Bonaparte made a villanous attempt to surprise the garrison by fraud. A flag of truce was brought in, proposing a cessation of arms to bury the dead; and during the negotiations, while the flag was still flying, the French, under cover of shot and shell, rushed to the assault.[k] Happily, the garrison had not been thrown off their guard, and the murderous attempt was defeated with slaughter and disgrace. Sir Sidney Smith sent back the fraudulent messenger to the French general with a letter, expressing in unmeasured language, the sentiments, with which an officer and a gentleman could not fail to regard such a flagrant breach of the laws of honour and of war.[l] On the 20th of May, Bonaparte raised the siege of Acre, after remaining before the place sixty-

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[k] It would appear hardly credible, that even Bonaparte could be guilty of such infamous conduct, were not the fact stated by Sir Sidney Smith himself in his despatch to Lord Nelson, May 30. Two attempts to assassinate the Commodore had previously been made at the instigation of Bonaparte, as Sir Sidney believed, though he does not state the grounds of his belief.

[l] Bonaparte affected to treat this letter as a challenge; and to speak with contempt of Sir Sidney Smith as a madman unworthy of notice. Bourrienne reprobates the insolence of his patron, and does justice to the reputation of the distinguished Commodore.—*Memoirs*, vol. ii. p. 295.

one days. He gratified his spleen before departure by bombarding the public buildings, and destroying the palace of the Pacha.

Bonaparte's Despatch.

In a despatch to the French Directory, Bonaparte affirmed that he had taken Acre, but that he had abandoned his conquest in consequence of the plague. Had he succeeded in planting the Republican flag on the ruins of Acre, his position would have been untenable. The sea was commanded by English and Turkish ships and gunboats. The native chiefs who had hitherto stood aloof from dread of the invincible invader, reassured by the successful defence of Acre, came pouring in from the mountains and the plains, to stop the advance and harass the retreat of the French army. It was indeed with great difficulty that the French general, leaving behind the greater number of his wounded and his artillery, could bring off the shattered remnant of the insolent host which two months before had marched upon St. Jean d'Acre, with an assurance of easy triumph. The line of retreat was covered with corpses and blasted with ruin, the invaders laying waste the country as they marched in the wanton rage of disappointment and revenge. On the 16th of June, twenty-seven days after their repulse from Acre, and five months after their departure from Egypt to effect the conquest of Syria, Bonaparte and his weary followers re-entered Cairo. They were received nevertheless with triumphal honours, their approach having been heralded as usual with bulletins of victory

Ch. 39. — 1799

and unrivalled feats of arms. Bonaparte had not enjoyed many days' repose, before intelligence arrived that a Turkish fleet had anchored at Aboukir, that the fort had been taken, and that Alexandria was about to be invested. With his usual rapidity and decision, the French general attacked the assailants in their intrenchments, drove them forth at the point of the bayonet, took all their cannon and field-equipments, and regained possession of the fort. But while he continued to issue bombastic proclamations, to keep the people of the country in awe, and to delude his army, which had frequently been on the point of mutiny, he could no longer conceal his desperate situation from the Government at Paris. He told them plainly, that unless they would send him large reinforcements of men and arms, the country must be given up. He did not then know the reverses which the French arms had sustained in Europe; nor that during his absence, the Directory had lost almost all that his valour and conduct had won. The intelligence soon after reached him through English and French newspapers, which were said to have been sent him by Sir Sidney Smith. His resolution was immediately taken. He determined to return to France without delay. Having delegated the command of the army to Kleber, and announced his departure in general orders, Bonaparte, accompanied by Berthier, Murat, Lannes, and Marmont, quitted or rather escaped from Egypt, on the night of the 22nd of August.

The expedition had, in fact, proved a total failure. The conquest of Egypt and Syria would have enabled the French, on the one hand, to convert the dominions of the Grand Turk into a Byzantine Republic, and, on the other, to threaten the British empire in India. The victory of the Nile and the defence of Acre had frustrated both of these designs. The re-establishment of the French in India was the main object of the expedition. Long before the preparations were commenced at Toulon, French agents had been busy at Seringapatam, flattering Tippoo Sultan, who inherited the martial spirit if not the ability of Hyder Ali, with the hope of French assistance in expelling the English from Hindostan. Accordingly, in December, 1797, Tippoo sent an embassy to the French governor of the Mauritius, asking for ten thousand French soldiers, and thirty thousand negroes, to co-operate with the army of Mysore in hostilities against the East India Company; and proposing that the territory of the Company should be equally divided between the Sultan and the French Republic. In the event of the Governor at the Mauritius not being empowered to conclude a treaty of this importance, the Mysorean envoys were accredited to the Directory at Paris. It was, however, the policy of Tippoo to keep this negotiation secret until he should be in a condition to defy the British forces, which lay within eight days' march of his capital. On the other hand, it seemed to the French

Ch. 39. 1799

governor equally politic to commit the Sultan of Mysore to an irreparable breach with the Government at Fort St. George. Neither party, in fact, could trust the other. Besides the Oriental contempt for European infidels with which Tippoo was fully possessed, he had been assured by his ministers that the French were seldom true to their engagements, and that Ripaud, the principal French agent at Seringapatam, was a lying adventurer, in whom no confidence whatever could be placed. Malartie, the Governor of the Mauritius, on his side, was not ignorant that Hindostan was, beyond any other known portion of the globe, the country of fraud and falsehood. Tippoo's ambassadors were sent to the Mauritius in the guise of merchants, with instructions to observe the utmost secrecy in their communications with the French authorities; but, on their arrival, they were received, in spite of their remonstrances and entreaties, with all the honours of their rank, and were publicly announced as the plenipotentiaries of the Sultan of Mysore, the ally of the French Republic. No sooner had the Mysorean ambassadors delivered their credentials, than Malartie issued a proclamation announcing the proposal of the Sultan, and inviting volunteers to enrol themselves in the service of this mighty potentate, who was about to declare war against Great Britain, and to expel the English from Hindostan.

This proclamation was received at Calcutta in June, 1798. Lord Mornington, the Governor-

General, at first questioned its authenticity; but, in a few days, his doubts were removed by a despatch from Lord Macartney, and by the arrival of persons who had been present at the reception of the ambassadors, and at the promulgation of their embassy. Lord Mornington was moreover informed, that the ambassadors had subsequently left the Mauritius in a French frigate with French officers and two hundred men, engaged for the service of the Sultan. On the twenty-sixth of April, this force landed at Mangalore. About the same time, Lord Mornington ascertained that Tippoo had despatched an embassy to Zemaun Shah, the ruler of Cabul, Khorassan and Cashmere, who had always been the determined enemy of the English.

The Governor-General took immediate measures to repel the expected attack. But it appeared, upon enquiry, that the forces of the Company could not be made ready for active service in less than six months; and the only native allies upon whose fidelity reliance could be placed, were the Peishwa and the Nizam; but the feeble and distracted Governments of these princes, afforded little hope of their being able to fulfil the conditions of the treaty of 1792, by which the Courts of Poonah and Hyderabad were bound in alliances offensive and defensive with the East India Company. At the beginning of August, Lord Mornington heard of the French preparations in the Mediterranean; and on the last day of October, the account of the

Ch. 39. — 1799

victory at the Nile reached Calcutta. On the 8th of November, the Governor-General addressed a letter to the Sultan of Mysore, apprising him that his corresponence with the French was known to the Government of the Company, and proposing to send an envoy to Seringapatam, with the view of detaching him from the French connection, and restoring the friendly relations which it had been intended to establish by the treaty of 1792. This letter had no effect; and several attempts of a similar kind to maintain peace having been frustrated by the evasions of the Sultan, Lord Mornington, on the 3rd of February, 1799, ordered General Harris to enter the territory of Mysore, and to march direct upon Seringapatam. The force under Harris consisted of about thirty thousand men, besides a contingent of twelve thousand well-appointed troops, with a large body of cavalry, which, contrary to expectation, had been promptly furnished by the Nizam. At the head of the thirty-third British Regiment was the brother of the Governor-General, a commander who was soon to fill India, and ultimately Europe, with his fame. Arthur Wellesley, though he bore no greater military rank than that of a regimental colonel in this expedition, was nevertheless high in the counsels of the Commander-in-chief. He was associated with General Harris and three other officers in a political and diplomatic commission, to which the Governor-General had delegated all his powers of making terms or concluding peace with the Government of the Sultan.

Ch. 39. 1799

Meanwhile Tippoo had marched in pursuit of an army under General Stuart, which was advancing from the coast of Malabar, to effect a junction with Harris's main body. The Sultan, at the head of ten or eleven thousand of his best troops came up with Stuart's advanced guard of two thousand men near Periapatam. The brigade sustained the assault of the Sultan's troops, until Stuart came up; when the Mysoreans were compelled to retreat with heavy loss. Undaunted by this reverse, Tippoo was disposed to try his fortune in a general action, and when the main army was within a few days' march of the capital, he attacked the outposts at the village of Mallavalley. But after a sharp struggle, in which Wellesley's regiment took a prominent part, the Sultan retreated; and making no farther attempt to resist his enemy in the field, he retired within the fortifications of Seringapatam.

British before Seringapatam.

On the fourth of April, a week after the battle of Mallavalley, General Harris appeared before the capital of Mysore. The works were of great extent, and had recently been repaired. The defence was conducted by French engineers, and the garrison was of sufficient strength. During the progress of the siege, Tippoo endeavoured to negotiate; but at this stage of the conflict, the English general could offer only peremptory terms. These were the renunciation of the French alliance; the payment of two crores of rupees; the cession of a large territory; and the surrender of hostages

Ch. 39. — 1799

for the performance of these conditions. An answer was required within forty-eight hours; and none being received at the expiration of that time, the siege proceeded. On the third of May, the breach was effected, and on the following morning, the assault took place with two thousand five hundred European, and nineteen hundred native troops, under the command of General Baird. The storming party encountered a galling fire of musketry in the advance, but the breach was undefended, and the place was soon in the possession of the assailants. Tippoo Sultan himself fell, fighting to the last. His body was found in one of the gateways leading to the palace, whither he had endeavoured to retreat when he found that all was lost. The capture of Seringapatam placed the whole kingdom of Mysore at the disposal of the Company. The conquerors appropriated to themselves a portion of the coast which extended their seaboard from Coromandel to Malabar. They likewise retained the fortress and island of Seringapatam, together with some smaller districts. Portions of territory were assigned to the allies of the company, the Nizam and the Peishwa. The territory, of which Hyder had dispossessed the Hindoo rajah forty years before, was restored to his heir, a child of five years old, but under such restrictions as rendered him a vassal of the company. Colonel Wellesley was appointed governor of Seringapatam instead of General Baird, who had led the assault with such signal success; a preference which was

complained of, not without reason, by the senior officer. Treasure, to the amount of nearly a million and a-half, was found in Seringapatam;[m] together with a mass of papers which proved that Tippoo had long been in correspondence with the French upon designs against the British power in India. A letter from Bonaparte, announcing his arrival at the Red Sea, with an innumerable and invincible army, to rescue the Sultan from his oppressors, and requesting him to send a confidential agent to Suez or Cairo, was published among the Indian despatches after the fall of Seringapatam.

[m] The rapacity of General Harris, in appropriating to himself and his generals double the amount of booty to which he and they were entitled, caused a great scandal. Unsuccessful attempts were made by proceedings in the Court of Chancery to recover the share of prize-money of which the general officers had unjustly deprived the rest of the army. The opinions of the law officers on the subject, with other particulars, are to be found in the *Wellesley Despatches*.

CHAPTER XL.

INCOME TAX—BONAPARTE'S LETTER PROPOSING PEACE—HADFIELD'S ATTEMPT ON THE KING'S LIFE—SCARCITY—PROSECUTION OF THE CORN FACTORS—MEASURES OF THE GOVERNMENT.

Ch. 40.

1799

THE Parliamentary Session of 1799 was remarkable for its financial measures. Early in the year a large subsidy had been promised to the Emperor of Russia in consideration of an army of forty-five thousand men being employed against the French. The money was readily voted by the House of Commons; and Tierney, who now took the foremost part in opposition, approved the policy of cultivating continental alliances, and declared his belief in the possibility of organizing a new confederacy against the French. The great victory of the British fleet, and the still more signal reverses of the French armies had inspired new confidence in the war, and no man thought this a fitting opportunity to renew the twice rejected proposal for peace. It was now said by those who most exulted in the recent fortune of

war, that the next offer of terms would come from the other side of the channel.

The scheme of taxation by which Pitt had intended to impose the chief burden of the war upon surplus property and income, had proved a failure. The weight falling upon articles of luxury could be evaded or mitigated at the option of the sufferer; and, in the result, not only was the revenue disappointed, but trade was materially injured by the retrenchment or disuse of the luxuries which had been selected as the criterion of taxation. The defalcation of the triple assessment had been supplied by a hasty and temporary expedient. It was proposed that persons who might be reluctant to submit to the inquisitorial process, yet willing to contribute liberally to the extraordinary exigences of the state should be permitted, partly by way of composition, and partly by way of voluntary contribution to subscribe certain sums. A clause to this effect was included in the tax bill. Many public bodies and persons of known wealth availed themselves of this clause, or perhaps were led by example, or forced by public opinion, to adopt it. The king gave twenty-five thousand pounds, which he said he could ill afford. Some of the ministers thought themselves obliged to give a year's salary. Pitt,[a] who could not pay his tradespeople, gave

[a] Lord STANHOPE'S *Life of Pitt.* — *Courts and Cabinets of George III.*

Ch. 40. — 1799

two thousand pounds. In this manner two millions were obtained. But an expedient so clumsy, so unfair, and so oppressive, could not be repeated. It, in fact, savoured of the principle of confiscation. The emergency which had arisen was not one of that kind which could claim the liberality of the rich. It was not a famine, or a pestilence which had suddenly fallen upon the country, but a demand for money to carry on a great war, which was as much a part of the public service as the garrison at Portsmouth, or the Court of King's Bench. Wealthy landowners, and Ministers of State had no greater interest in measures necessary for the defence of the country, or the vindication of the national honour, than farmers, shopkeepers, or others; and they might as reasonably have been expected to make up the deficiencies of the Customs or Excise, as to eke out the proceeds of any particular tax imposed for the extraordinary charges of the army and navy. Voluntary assessments and loyalty loans, are but empirical modes of providing for the charges of a great nation.

The estimate of expenditure for the ensuing year was twenty-nine millions; and as the ordinary sources of revenue yielded little more than six millions, adding to the estimate a million for contingencies, there would be twenty-four millions to be raised by extraordinary ways and means. Notwithstanding these vast demands, amounting to nearly five times the ordinary income, Pitt

adhered to his policy of raising the war funds, partly by taxation, and partly by loan. The tax on income, though it had partially failed when applied through the medium of the assessed taxes, was an engine of such power, that it only required proper machinery to raise any amount which property could pay. And the only machinery by which it can be effectually worked, is the simple process of taking so much of every man's income, from whatever source it may be derived. To this plan, which is, in fact, a recurrence to the raw principle of taxation, Mr. Pitt now resorted. He proposed to take two shillings in the pound from every income of two hundred pounds and upwards. From that amount to sixty pounds a year, at which the tax commenced, there was to be a descending scale of assessment. Certain abatements were to be made so as to eliminate the nett income, upon which only the impost was to attach. Computed in this way, the taxable income of the country was estimated at one hundred and two millions, upon which a levy of ten per cent. would raise, in round numbers, ten millions. The remainder of the charge, fourteen millions, was to be raised by open loan. All the objections to an income tax with which the present generation is familiar, were stated by Mr. Tierney and other opponents of the measure. The inquisitorial proceedings which it rendered necessary—the injustice of exacting the same contributions from permanent and preca-

Ch. 40. — 1799

rious incomes—from incomes for life and incomes for years—from profits of trade, arising from a mixture of capital and industry; and profits of professions derived from industry alone:—These arguments were urged with convincing force, and were met by the only intelligible answer they have ever received, that an equitable adjustment of an income tax was impracticable. But all men felt that if the war was to go on, it had become necessary to resort to sources of supply, deeper and wider than those which sufficed for the ordinary service of the country. Hence there appeared a general disposition to submit to a hard necessity, and not to waste time in abstruse calculations, with the view of ascertaining the just proportion in which each man should contribute. To mitigate the arbitrary character of this tax, the assessment was entrusted, not to the officers of revenue, but to Commissioners elected by popular suffrage. The Commissioners were sworn to secrecy, and had power to administer an oath when the information afforded was not satisfactory. There could be no question as to the exact amount of liability in the cases of fundholders, mortgagees, and annuitants. There was little difficulty in ascertaining the rental of real property; but the difficulty amounted to impossibility of obtaining faithful returns of the vast income derived from commerce, manufactures, trades, and professions. The temptations to make fraudulent returns among this class of proprietors has always proved

irresistible; in fact, they virtually assess themselves; and the consequence has been, that the revenue has been deprived of a very large proportion of the just proceeds of the tax. It is in this inherent defect, that the real injustice of an income-tax consists. The tax presses with undue weight on those who are neither able nor willing to evade it, in proportion as others decline to bear their due share of the burden. The bill was passed by a large majority.

Bonaparte's reception in Paris.

Bonaparte, on his return from Egypt, found the French people prepared to receive him as a conqueror. On his arrival at Paris, the Directory did not venture to call their unwelcome general to account for absenting himself from the army without leave; nor did he condescend to offer a word of explanation on the subject. The pear was now ripe. The series of rapid and well-contrived manœuvres by which Bonaparte abolished the effete Directory, dispersed the Legislature, and constituted himself Dictator, under the title of First Consul, proved him as great a master of politics as of war. His triumph was distinguished by a moderation unknown to the various revolutions of the last ten years. There were no proscriptions; nearly all the state prisoners, amounting to many thousands, were released; the churches were re-opened, and the priesthood was re-established. The law of hostages, the forced loans, and other revolutionary edicts, were repealed. It soon became manifest that it was the intention

Ch. 40. — 1799

of the new ruler of France to restore monarchical institutions, and the people, disgusted with liberty and equality, were eager for the restitution of order, under a permanent and intelligible form of government.

Bonaparte's letter to the King.

One of the earliest measures of the First Consul, was to propitiate foreign powers by a circular letter addressed to the diplomatic agents of the Republic at the different Courts of Europe, announcing the moderate and pacific views of the new Government. To Great Britain, he made a direct proposal of peace, in the form of a letter to the King. Setting aside the impertinence of a mode of communication alike irregular and unnecessary, the letter was striking and plausible. 'Must the war which has ravaged the four quarters of the globe for eight years be eternal?' asked the writer. 'Why should the two most powerful and enlightened nations of Europe sacrifice their prosperity and happiness to war?' 'Why should they persevere in a war which involved all other nations?' The note, which was very brief, contained no distinct proposition; but the Government thought it suggested a cession of conquered territory on either side as a basis of treaty. However this might be, the Cabinet decided, without much deliberation, on rejecting the overture. The despatch in which Lord Grenville conveyed this decision was calculated to repel the advances of the First Consul, even if those advances had been sincere. A paper so sarcastic, contemptuous, and dictatorial,

is not to be found in the records of diplomacy. 'His Majesty,' said the Secretary of State, 'was not engaged in any contest for a vain or false glory; but for the defence of his dominions against unprovoked attack; nor could he hope for any satisfactory result from a negotiation entered into with those whom a fresh revolution had so recently placed in the exercise of power.' The Minister went on to inveigh, in unmeasured terms, against the indiscriminate spirit of destruction which actuated the French Government, against the ravages and anarchy which they had carried into unoffending countries; against their habitual violation of solemn treaties by fresh aggressions.

The concluding paragraphs of this memorable despatch were conceived in a spirit of dictatorial insolence which seemed to have been caught from the diplomacy of the French revolution. His Majesty was made to say, that although he did not insist on the restoration of the legitimate monarchy as affording the only possible security for peace, yet that such an event would not only remove all obstacles to negotiation, but would ensure that tranquillity and security which the nations of Europe were compelled to seek by arms. Finally it was intimated, that the King had no confidence in the stability of the Government with which he was invited to negotiate, and that a period of probation must be undergone before such confidence could be created.

It appears, from the letters of Pitt and Grenville,

Ch. 40. — 1799

that the leading members of the Cabinet determined at once, and without deliberation, on rejecting the overture of the first Consul.[b] Bonaparte, however, was so desirous of obtaining a character for moderation, that he renewed his proposal in a formal manner, through Talleyrand, the Minister for Foreign Affairs. In this paper, the accomplished diplomatist, with the serene assurance which distinguished him through his long and varied life, reminded the English Secretary of State, that France, from the commencement of her revolution, had solemnly proclaimed her love of peace, her disinclination to conquest, and her respect for the independence of all governments. It was to the aggression of Europe in entering into a league to suppress her rising liberties, and not any offensive disposition on the part of France, that the war was to be attributed; France had only made use of the means she possessed for

[b] Pitt to Dundas, December 31 (the day on which the French despatch reached London).—*Cornwallis Correspondence*, vol. iii. p. 155. Lord Grenville, in writing to the Marquis of Buckingham, the day following, says, 'I need hardly tell you we shall say No. I am occupied in studying how to say it in the manner the least shocking to the numerous tribe of those who hate the French and the Jacobins, but would to-morrow sign a peace that would put us at the mercy of both.' He certainly did not succeed in this attempt, for moderate men were generally dissatisfied with the tone of the letter to Talleyrand. When the draft was sent to the King for his approval, it was returned with this observation written on the margin: 'In my opinion much too strong, but I suppose it must go.'—*Locker* MSS., ex rel. Hon. Henry Legge.

the maintenance of her independence, and had always resumed her pacific inclinations, when the powers of Europe desisted from invading her territory. Such assertions as these required no answer. The aggression of the German powers, in 1792, might have justified the occupation of Belgium, and the passage of the Rhine. The invasion of the Milanese and the other Italian possessions of Austria was justifiable by the subsequent war with that power. But what justification could be pleaded for the invasion and spoliation of the independent states of Italy? for the seizure of Switzerland, for the occupation of Egypt, and the massacre of the people? The French Minister was more successful, when he censured the presumption of the English Court in offering to dictate, not only the form of government which the French nation should adopt, but the family which they should re-instate as their rulers. 'As well,' said he, 'might the government of the republic recommend England to return to the Commonwealth, which she had adopted in the last century, and to restore to the throne the legitimate race whom a revolution had removed from it.' Talleyrand did not fail to remind the Cabinet of London that they had twice, within a recent period, offered to treat with a government which was certainly not entitled to a greater degree of confidence than the government which had succeeded to power. This note, so plausible in many parts, and so unanswerable in

Ch. 40
1800

Ch. 40. — 1800

some, produced a great impression in the country, and led men to hope that this weary war was drawing to a close. But the Government hastened to dissipate this delusion. In a short reply, Lord Grenville peremptorily refused to treat, and reiterated the most offensive passages of his former despatch. The French Government was treated like a culprit, whose professions of penitence and amendment were to be subjected to the test of experience. And it was plainly intimated that the only test which would prove satisfactory, was the abdication of the present ruler of France, and the unconditional restoration of the old dynasty.

It is known to the present generation, if the subsequent admission of Bonaparte himself is to believed, that the proposal of peace at this time was altogether false and illusory. Bonaparte had never any regard to truth or honour; and no engagement which it was his interest to break would have bound him for a moment. His loose assertion many years after the transaction, that, in proposing peace on his accession to power, he merely meant to amuse the English Government, is entitled to very little credit. He would rather admit that his advances were fraudulent, than that they had been defeated by a contumelious repulse. If it was his interest, in 1801, to conclude a temporary peace with Great Britain, that he might have time to confirm his power and prepare for the renewal of war on a scale of increased magnitude and efficiency, it was still more his

interest to obtain a respite from warfare in 1800, when the consular chair, which he had set up on the first stage of his progress to the throne, was surrounded by foes and traitors. His object was to dissolve the confederacy which the naval triumphs, the influence and the wealth of England had arrayed against France. A peace must have been attended with that immediate consequence, and a peace would cost nothing; for whatever the terms might be, they would be respected so long only as it suited the French ruler to respect them.

Lord Grenville's speech.

The overtures of the Consular Government, which had already agitated the country with a conflict of opinion, were discussed in Parliament with a vigour which had seldom animated the debates of either House since the earlier days of the French revolution. Lord Grenville, in a speech of great length, reviewed the history of the war from its commencement, for the purpose of showing, that on the part of France it had been a series of aggressions on the independence of other nations, and that the policy of Bonaparte in particular was that of unscrupulous conquest, and perfidious contempt of those countries which had sought to conciliate his forbearance. These assertions were, in the main, indisputable. They had been repeatedly made, and their reiteration now could only point to the conclusion that no peace could be made with Bonaparte; and as Bonaparte had only pursued with greater vigour and succes

Ch. 40. 1800

than his predecessors the unvarying policy of the revolution, it seemed to follow, that, in the contemplation of the King's Government, there was no security for peace with France but the restoration of the Monarchy. Lord Grenville's audience, however, needed no persuasion to support the prosecution of a war which they had always favoured, and which now, for the first time, showed a promise of a successful issue.

Debate in the Commons.

In the Commons the question was debated with all the power of the House. Dundas, Whitbread, and Canning, who now aspired to the foremost rank in Parliament; together with Erskine, who on this occasion spoke with an effect which his Parliamentary efforts seldom attained, successively addressed the House. Pitt himself followed, and, like his colleagues in the Upper House, laboured to prove that the French had always been the aggressors. In reply to the obvious remark, that this was as true in 1796 and in 1797, as it was in 1799, and yet we had twice proposed peace to the ambitious and faithless Government of the Republic, the Minister said that the people were in those years staggering under a weight of debt produced by the war, and that before they could be persuaded to bear new burdens, it was necessary to convince them that terms could not be obtained. This was very much the ground on which the Directory had repulsed the first mission of Lord Malmesbury. They said, that the only object of the British Government, in proposing terms of peace, was to

deceive their own people, and by pretending to demonstrate that negotiation was impracticable, to extort further supplies for continuing the war. A great part of the speech consisted of a long and bitter invective against Bonaparte; and it wound up with the usual prediction that the exhausted condition of the enemy, and the failure of his resources, must soon terminate the war. The Minister had been urged to make one of his highest oratorical efforts by the presence of his great antagonist, who had on this occasion quitted his retirement, at St. Ann's Hill, to support the cause of peace, of which he had from the commencement of the war been the consistent champion. Fox, invigorated by abstinence from political conflict, and from the still more wearying excitement of play, threw himself upon his rival with all the force and fire of earlier days. In a few rapid sentences he held up to just derision the shallow confidence with which the Minister, untaught by the repeated failures of his prognostications, still persevered in assigning a period, within which the enemy must certainly come to the end of his resources. He was not so successful in his attempt to extenuate the outrages of the French democracy. He admitted that their successive rulers had been as bad as the worst despots the world had seen. But they had only followed the evil traditions of the old Government. 'If,' he said, 'they had overrun countries and ravaged them; if they had ruined and dethroned sovereigns; if they

Ch. 40. — 1800

had even fraternized with the people of foreign nations—they had acted upon Bourbon principles, and accomplished their exploits in the Bourbon manner.' He argued with more point, that if ormer acts of injustice and rapine were sufficient reasons for rejecting all friendly overtures from guilty nations, how could we justify our alliances with Russia and Austria, whose spoliation of Poland had been justly stigmatized as the highest public crime of modern times. 'But,' said Fox, 'I am arguing before an assembly which is prepared to vote for the address as proposed by the Minister; and which would have been prepared with equal submission, but far more alacrity, to support an address which should have approved an opposite policy.' Few of his hearers could have disputed this assertion; but the address was, nevertheless, carried by a majority of more than four to one.[d]

An argument against the good faith of a proposal may be inferred from the terms of the proposal in itself; but it is impossible to conceive of any circumstances in which a belligerent is jus-

[d] 262 against 64. 'About this time the Count d'Artois came up secretly, and had a long audience with Pitt, and next night with the King for two hours, and expressed himself delighted with the sterling intelligence, morals and benevolence of the King and his ministers. He dined at Lord Grenville's to meet Pitt, Windham, and Wickham. Pitt said he hoped to see the day when England should have the honour to [restore] Louis the Eighteenth to the throne of France—that though future wars might happen, we should have the satisfaction of having done our duty.'—Lady HARCOURT'S *Diary*, 1798. MSS.

tified in refusing to listen to the proposal of his enemy on the assumption that he is not in earnest. The truth appears to have been that the Ministers, elated by the signal and unwonted success of the allied arms, believed that the fortune of war had at length taken a turn; and looking at the domestic changes in France, had hurried to the conclusion that democracy had run its course. England was already mistress of the seas; and another campaign, it was hoped, would enable the military powers of the continent to recover their strength; would repair the shaken thrones and principalities, and reconcile the French to the restoration of their monarchy. It was thought by some that Bonaparte's rule would be as transitory as the rule of the ordinary men whom the revolution had hitherto drifted to the surface; by others, that he was only preparing the way for the restoration of legitimate monarchy. While the English Ministers were rejecting the advances of Bonaparte as a person with whom they could not deign to treat, the exiled heir of the French throne was opening a correspondence with him, as the potent and trustworthy instrument through whom the restoration of the monarchy might be effected.

The Government, so prompt in refusing to entertain any proposal for peace, had no military project of their own, and had no other present view in carrying on the war than the grant of a subsidy to Austria. On the thirteenth of February, a message from the Crown announced that treaties

Ch. 40. 1800

were in progress with the princes of the German empire; and five hundred thousand pounds were demanded as an immediate advance upon a subsidy of two millions and a half for the several powers which had engaged to perform the military duties of the alliance. England reserved no voice in the conduct or particular object of the war. It was enough for her that war was to be waged against the French. She would prefer that Europe should never lay down arms until the Bourbons were brought back to Paris; but if that could not be done, English money was well laid out in paying the Emperor of Austria to defend his own territory, or even to extend his dominions. Such was the sum and substance of the triumphant answer with which Mr. Pitt silenced those who ventured to ask what benefit this country could derive from aiding the imperial court in the pursuit of those selfish objects which had caused the rupture of the last alliance, and the failure of its common purpose? The security of England against Jacobinism, according to Mr. Pitt, was involved in an Austrian campaign on the Rhine, and the restoration of Austrian rule in Italy. The vaunt of Chatham that he conquered America in Germany was no rhetorical flight. It was the exposition of a great plan by a statesman who was master of the policy of war. The elder Pitt knew the use of money in war, and was never backward in employing the resources of this country in aid of an ally, when such aid was required for a definite object;

but he invariably denounced the practice of carrying on a great war by a system of subsidies. He saw this country reduced to a state of military impotence by a perseverance in that system; and the defence of the island itself against imminent invasion entrusted to foreign mercenaries. The English millions lavished on foreign armies since the commencement of the revolutionary war had been wholly wasted; in no single instance had any intelligible object been proposed, or any advantage, however momentary, obtained by this expenditure. It seemed to be asserted and accepted as a sufficient reason for this outlay, that the country could afford it. In this very year, a year of scarcity, and the seventh of the war, a loan of eighteen millions was readily subscribed at an interest of four and three quarters per cent. In addition to this, the Bank of England advanced a sum of three millions for six years, without interest, in consideration of the renewal of their charter for twenty-one years; a remarkable proof of the increasing wealth and commercial enterprize of the country.

Attempt to shoot the King.

One of those attempts which are so frequently made, but so rarely with success, on the lives of kings and rulers, called forth a new demonstration of loyalty and personal regard for the sovereign, which was not without significance and value at this season. The King, in accordance with many good English customs, his observance of which went far to endear him to the people, frequently attended

Ch. 40. 1800

the two great theatres, where the matchless productions of the English stage, were represented by actors worthy of their vocation. On the 15th of May, their Majesties went to Drury Lane Theatre. The King had no sooner entered the box, and advanced to the front, to acknowledge the welcome with which he was usually received, than a pistol was discharged at him by a man who sprang up on a bench in the pit. Happily a person near had seen the movement in time to catch the assassin's arm, just as the trigger was pulled. It thus happened, that of two large balls with which the pistol was charged, one struck the wainscot a foot and a half above the King's head, and the other passed through the curtain some inches higher. The King, who saw the flash and heard the report, turned to Lord Chesterfield, the Master of the Horse, and said, 'There is a pistol fired; there may be another; stop the Queen.' He himself stood firm, and looked round the house with a composure very different from the hurry which usually marked his demeanour. When the Queen advanced in alarm, he desired her to stay a moment—'there was a squib.' 'A squib,' said her Majesty, 'I heard the word pistol, and the report.' 'Squib or pistol,' answered the King, 'the danger is now over, and you may come forward and make your courtesy.' For a few seconds there was an awful silence, until the audience were assured that the King was unhurt. Then burst forth cries of 'Seize the traitor; tear him to pieces!' In the

midst of the uproar, the stage-manager came forward and announced that the man who had fired the shot was in custody. He had been dragged over the barrier which separated the orchestra from the pit, and hurried to the back of the stage, to protect him from the rage of the spectators. The curtain then drew up; but the performance was not suffered to commence, until the excited feelings of the audience had found relief in the loyal anthem being sung in chorus by the whole company.

James Hadfield, who made this attempt on the King's life, was a working silversmith, and a discharged trooper from the Fifteenth Light Dragoons. On his examination before the magistrate, and, subsequently, before the Privy Council, on the charge of treason, it appeared that he had served under the Duke of York, in Belgium; and that he had been severely wounded in the head at Lincelles. He denied that he had fired at the King, and maintained that he had fired, by design, over the King's head. He said that his object was his own death; that he was tired of life, but had not resolution enough to commit suicide. On further investigation, his former comrades in the regiment, as well as his fellow-workmen in trade, came forward to prove that Hadfield was considered insane. He was committed for trial on the capital charge, and notwithstanding the evidence as to his insanity, few persons were disposed to believe that Hadfield was not a responsible agent.

Ch. 40. — 1800

The trial was one of extraordinary solemnity. It was a trial at *bar*—that is before the full Court of King's bench, instead of a single judge, according to the regular administration of the criminal law. The facts were not disputed, the defence being that the prisoner was insane. Erskine was of counsel for the prisoner; and the case is remarkable as constituting the leading precedent in this branch of criminal law. At this time, the doctrine of exemption from responsibility for criminal actions, though not altogether novel, was obscure and ill-defined. Judges and juries were not informed either as to the kind or the degree of mental unsoundness which should entitle a man to impunity who had killed or maimed a fellow-creature; and the opinion, even, was widely prevalent, that the protection of life and limb from murderous assaults, did not admit of madness as an excuse[e] for the commission of such outrages. The argument of Erskine was the first to place this question on the high ground of reason and

[e] Lady Harcourt, in reference to the case of Hadfield, makes these observations: 'Madmen are deterred by terror, and, at least, the executing him would prevent future pretence to madness; and, at any rate why save a man whose crime deserves punishment, if sane, *and, if mad, is a nuisance to society.*'—MSS. This may seem the extreme opinion of a Court lady, transported with resentment at an attack on the Sovereign; but when the Bill of the Attorney-General (suggested by Hadfield's case), for providing for the custody of persons acquitted on the ground of insanity, was debated in the Commons, Windham expressed a doubt whether an offender, if insane, should not be punished for the sake of example.

humanity, from which it has never since been shaken. He contended, not that general evidence of insanity was a sufficient answer to the charge, but that if he rebutted the presumption of motive, which the law would infer from an unprovoked assault, by proof of the absence of express malice, and the existence of a delusion which probably extended to the act charged in the indictment, the prisoner was not guilty. In support of this proposition, to which the Court assented, Erskine proved by the evidence of Mr. Cline, one of the first surgeons of the day, that the prisoner's brain had been permanently injured by a sabre-cut in the head, the certain effect of which would be the derangement of his intellect. To confirm this theory, it was shown, by abundant proof, that the prisoner laboured under delusions. His mind wandered in the mazes of religion. At one time he fancied that his life was to be taken as a propitiatory sacrifice for mankind. At another he uttered horrible blasphemies, although habitually his thoughts took the direction of extreme piety and reverence. A few days before he shot at the King's box, he attempted the life of his infant child; and, about the same time, being at a public house, when his Majesty's name was indecently mentioned, he left the house with loud expressions of indignation, and crying, 'God save the King!' The Court had been very unfavourable to the prisoner during the case for the prosecution; but when they heard Erskine's argument, and the evi-

Ch. 40. 1800

dence in support of it, the Chief Justice interposed, and said he was satisfied of the prisoner's insanity at the time the act was committed.[f] The Attorney General, upon this intimation, readily consented to an acquittal; and soon after introduced the Act under which, prisoners acquitted on the ground of insanity, are detained in custody.

Public expression of loyalty.

The attempt on the King's life called forth a general expression of loyalty and attachment to his person, such as had not been witnessed since his recovery in 1789. The secondary reasons which had contributed to the demonstration of joy and relief on that occasion, were not diminished in force by the lapse of time. Whatever difference of opinion might exist as to the positive claims of George the Third upon the affections of his subjects, all friends of the monarchy were agreed in praying that the day might be far distant, when the heir apparent should take his place. At the birthday drawing-room on the 4th of June, all the principal members of the Opposition, who had rarely attended at Court since the dismissal of the Coalition, came to offer their respects and congratulations.

Committees of both Houses were engaged during the Session in devising means for the mitigation of distress, owing to a partial failure of the wheat crop in the past and the present

[f] Fox did not appear; but even his absence, according to Lady Harcourt, appears to have been caused by accident.—MSS.

years. Many persons were found to recommend sumptuary laws; restrictions in the use of wheat in distilleries and other processes; interference with the trade of millers, and other rude remedies which, if they have any effect at all, have only a mischievous effect. Parliament had the good sense to reject all these schemes. The only measure of legislation which they adopted was an act to prevent the sales of fine wheaten bread[g]—a measure, which was deemed of such importance, that it was passed through all its stages in both Houses on one and the same day. The folly of some of the judges did more than all the acts of incendiaries to create popular discontent, and to increase the scarcity. Some informers took advantage of the obsolete laws against forestalling, to prosecute the corn factors, a useful body of tradesmen, through whose agency the foreign trade in corn was chiefly carried on. Mr. Rusby, a partner in one of the principal corn houses in the City, was tried before Lord Kenyon, for having, in the course of his business, bought and re-sold wheat in the same market, an act, which, under an old statute of Edward the Sixth, constituted the offence of *regrating*. He was convicted under the eager direction of the Chief Justice, who told the jury that by their verdict they had conferred almost the greatest benefit upon the country that

[g] It was said that, in consequence of this act, the consumption of bread in the metropolis was reduced by one-sixth.—*Second Report of the Commons Committee.*

Ch. 40. 1800

ever was conferred by any jury. The Act of Edward, which included forestalling and engrossing as well as regrating, had been repealed early in the present reign.[h] But the legislature, while intending to abolish an offence, which could only be considered an offence in a state of primitive society, hardly removed from a state of barter, omitted to enact in the usual form, that no person should in future be prosecuted on such charges. And it was afterwards held in Westminster Hall, that two of the offences named in the statute of Edward, namely, forestalling and engrossing, were still indictable at common law. On the question of regrating, the definition of which is simply the difference between wholesale and retail trade, Kenyon could get only one of the puisne judges of his court to support his opinion, that re-selling a commodity for a profit in the market where it had been bought, was a misdemeanour. The Court of King's Bench being thus equally divided on the point of law, judgment in the case of Rusby was arrested. But the effects of Kenyon's ignorance and folly, were not easily repaired. Corn factors were for a long time deterred from following their useful business; and the starving multitude were taught by authority to add one other delusion to the creation of ignorance and want.

The Session which had commenced with a haughty rejection of the pacific overtures of the

[h] 12 Geo. III. c 71.

French Government, was not brought to a close before the English ministry had learned to alter their tone. Disappointed in his hope of peace, if he seriously entertained it, Bonaparte made immediate preparations for such a prosecution of the war, as was little expected. Moreau, next to Bonaparte himself, the best general which the Revolution had produced, retained his command upon the Rhine. The French army succeeded once more in crossing the river on the 25th of April, and, before the end of June, had overrun Bavaria, occupied Munich, and driven the Austrian general behind the Inn. On the other hand, Genoa, the last possession of the French in Italy, after a close investment by sea and land for nearly two months, was surrendered by Massena. Bonaparte himself, with an army of reserve, had watched the campaign in Germany and Italy. The course of events determined him upon making a great effort for the recovery of Italy, the first and greatest of his conquests. He made a feint as if it had been his intention to assemble an army at Dijon for the relief of Genoa; his real purpose never was suspected; nor was it likely to enter into the calculations of an enemy, however sagacious and well informed. Bonaparte's intention was to cross the Alps by the Great St. Bernard Mountain, and so descend upon the plains in the rear of the Austrian army before Genoa. This great enterprise was accomplished in four days; and the Imperialists, who, up to

Ch. 40. 1800

that time, had derided the idea of the French army of reserve as an impossibility and an empty vaunt, were startled by the appearance of the corps of Lannes before Ivria. Even then, the Imperial generals regarded this as a detached movement to divert them from the great operation in which they were engaged. They would not believe that a French army fully equipped, under Bonaparte himself, had passed the Alps. The fall of Ivria even failed to convince Melas that the French force in his rear consisted of more than a single division, which he could easily crush. The Austrian commander-in-chief, however, removed his head quarters to Turin, when he heard that Bonaparte, reinforced by twenty thousand men from the army of the Rhine, was making rapid advances. Melas then sent orders to Ott to raise the siege of Genoa, and to move by forced marches with all his strength upon Pavia. But when the order arrived, Ott was engaged in negotiating the terms of the capitulation under which Genoa was to be surrendered. Ott, without knowledge of the urgency which had dictated the peremptory order of his chief, delayed obedience until he had completed the great work in which the military energies of Austria had been so long engaged. By this delay, not only was the garrison of Genoa, amounting to eight thousand men, enabled to join the French army, but the chance which might have remained of arresting their triumphant progress, was lost. Bonaparte, having defeated an Austrian

corps which disputed his passage of the Ticino, entered Milan on the 2nd of June, and re-established the Cisalpine Republic. After remaining six days in the capital of Lombardy, and having supplied the deficiencies of his army from the Austrian magazines in the city, Bonaparte resumed his march. The time had now arrived when the fate of Italy must be decided by a pitched battle. Melas, satisfied that Piedmont was no longer defensible, determined upon holding the line between the Po and the Apennines, making a stand at Alessandria, and ultimately falling back upon Mantua, if Alessandria should not be tenable. Ott, after some sharp skirmishes, and an engagement with Lannes at Montebello, effected a junction with Melas, whose force was thus increased to forty thousand men, including seven thousand cavalry. They were encamped before Alessandria, which was separated from the great plain of Marengo by the river Bormida. At daybreak on the 14th of June, the Austrians crossed the river, and attacked in force the village of Marengo, occupied by Victor's division, which, after an obstinate conflict, was dislodged and driven in confusion across the plain. The corps of Lannes next gave way, and, at three o'clock in the afternoon, the whole French army had fallen back upon their reserve five or six miles from the field of battle. Melas, far advanced in years, exhausted by the fatigues of the day, during which two

Ch. 40. — 1800

horses had been killed under him, and believing the victory secured, retired from the field. Meanwhile, the French general had observed an important position, which the Austrian had overlooked. There the shattered battalions of the French army were re-formed, and sent once more to the charge under the guidance of Dessaix, who had come up with his reserve. The French, under one of their most gallant leaders, made a desperate effort to retrieve the fortune of the day. General Zach, who commanded in the absence of Melas, in the heat of pursuit, had pressed forward too far in advance of his supports; and the Austrian line staggered before the tremendous onset of the French led by Dessaix. Dessaix was killed at the head of his column; but the French rushed on, and, in a few minutes, the Austrian victory was changed into a hopeless rout. Zach surrendered with five thousand men, the remains of his division. Lannes was equally successful in another part of the field; and Victor, at the close of the day, re-occupied the village of Marengo, from which he had been driven headlong in the morning.

Melas, during the night, passed the Bormida with the remains of his army, and encamped once more before Alessandria. Bonaparte, on the following day, prepared to attack him, and his advanced guard crossed the river at dawn. The Austrian general saw the French army under the First Consul before him; in his rear was

Suchet with a body of fresh troops, including the liberated garrison of Genoa. The old general's decision was soon taken. He sent a flag to the French camp; and in a few hours, a convention was signed. All the territory and fortified places of Northern Italy, with the exception of the country between the Mincio, Fosca Mestre, and the Po, which included Mantua, Peschiera, and Borgoforte, were ceded to the French. This treaty was ratified by the Court of Vienna.

It was Bonaparte's policy to detach Austria from the English alliance; and, with that view, he proposed to Melas a separate peace, on the basis of the treaty of Campo Formio, before the Imperial Government had approved the Convention of Alessandria. The Court of Vienna behaved with great duplicity on this occasion. Unwilling, on the one hand, to provoke the French dictator, they sent a diplomatic agent to Paris; whither Bonaparte had returned after the Convention of Alessandria; and this agent, the Count St. Julien, a general officer in the Austrian service, was the bearer of a letter from the Emperor, as his credential. But a few days before the battle of Marengo, Thugut, the Austrian minister, had concluded a convention with Lord Minto, by which, in consideration of a farther advance of two millions by Great Britain, to be paid in instalments before the end of the year, the Austrian Government engaged to con-

Ch. 40. — 1800

tinue the war, and to enter into no separate treaty with France before the ensuing February. If, therefore, the treaty with France was hurried forward, they would lose the English money; whereas, if the negotiations could be delayed until the subsidy, or the greater part of it had been paid, they would combine all the benefits which they ever expected to derive from the English connection with the peace which must eventually be concluded with France. Meanwhile, St. Julien, in pursuance of the power conferred upon him by the Emperor's private letter, had arranged the preliminaries of a peace at Paris, and General Duroc was despatched to Vienna by the consular Government. But the bargain which had been concluded with the British minister rendered it necessary that the negotiation at Paris should be disavowed; and accordingly, St. Julien, notwithstanding the Emperor's letter, was put under arrest for acting without instructions, and Duroc was turned back from the Austrian frontier. Baron Thugut at the same time obtained the consent of Lord Minto to a proposal which he addressed to the First Consul, that Great Britain should be included in the negotiations for peace. In accordance with this intimation, Otto, the French commissioner in London, for the exchange of prisoners was instructed to open a communication with the English Government. Lord Grenville expressed his readiness to send a plenipotentiary to the Congress about to sit, and named

his brother Mr. Thomas Grenville[k] as the person designated to represent the interests of Great Britain. But the Frenchman demanded certain preliminaries before the treaty should be opened. He required a naval armistice analogous to the military armistice which had been made with Austria. The blockade of the French forts was to be raised, or at least suspended; the seas were to be free to the commerce as well as to the armed ships of the belligerents; French ships were to be permitted to furnish supplies to the starving garrison of Malta; and, lastly, six frigates were to be admitted into the port of Alexandria. A long correspondence ensued, and ultimately all the terms were agreed to by the English Government, except the last. But the right of sending relief to the army in Egypt was insisted on as a condition *sine qua non*; and upon this point the negotiation was broken off.

It is difficult to understand how the most sanguine diplomatist could hope for any other result from a negotiation commenced in such a spirit. But the English Government, which, in January, would not for a moment listen to a proposal from the First Consul, was content, in August, to discuss for several weeks a proposition, the illusory character of which was sufficiently apparent. Even

[k] Pitt had applied, in the first instance, to Lord Malmesbury to undertake the mission; but it seems, that Malmesbury was not disposed to be sent for the third time on a fruitless errand.—*Malmesbury Correspondence*, vol. iv. p. 1.

Ch. 40. — 1800

the tone of the French correspondence seemed to deride the credulous or the pusillanimous eagerness for peace, which could seriously entertain such unreasonable demands. The progress of this negotiation—if it can be called a negotiation—developed a strong difference of opinion in the Cabinet as to the policy of the war. A few days before the correspondence was closed, a representation in writing as to the views of his colleagues was laid before the First Minister by Mr. Dundas, the Secretary of State, who had the chief management of the war.

This remarkable paper stated, that, in the opinion of some members of the Government, the only solid hope of peace was in the restoration of the Bourbons. Others, without going that extreme length, nevertheless, maintained that no peace should be made with a revolutionary Government, and that the existing Government of France was of that character. A third section were for treating with the consular Government, but only in conjunction with the Emperor. And there was still another division of a cabinet comprising only eleven members, which desired that England should make a separate treaty. These differences, Dundas added, were not theoretical, but practical, presenting themselves in every discussion, either on the prosecution of war, or the prospect of peace; and he concludes by an earnest hope that Mr. Pitt will take the representation into his most serious consideration before it is too late. There were almost

as many opinions as there were men; and if the fact that such a paper was drawn up and presented to the head of the Government by one of its members did not rest on undoubted authority,[1] it would have seemed incredible that such a representation should be needed. Did the Cabinet Council ever deliberate on the conduct of the war, or the question of peace? Did the Cabinet Ministers reserve their opinions in the presence of their chief, and disclose them only to each other? Strange as it may appear, the truth was, that although there were meetings of the Cabinet, Pitt rarely consulted his colleagues, and his colleagues rarely communicated with each other [m] Grenville was the only member of the Cabinet who asserted himself, and Grenville, by his general ability, decision of character, and force of will, for some time exercised a power second only to that of Pitt himself. The other Ministers were little more than heads of departments. The whig lords kept very much to themselves, and were always in an attitude of semi-opposition. The Chancellor was so notoriously false and time-serving that nobody

[1] Earl STANHOPE'S *Life of Pitt*, vol. iii. p. 242.

[m] 'Pitt and Dundas are most allied; Portland, Loughborough, Spencer, who came over together, are distinct; while probably Lord Liverpool (mistakeably supposed the King's man) stands alone. To prove how little intimacy there is, he (Lord L.) asked General H. the other day who was that pretty woman speaking to the Queen? He said, 'My lord, do you not know Lady Grenville.''—Countess HARCOURT'S *Diary*. MSS.

Ch. 40. — 1800

trusted him. Windham lacked common sense. Dundas, though an active and useful Minister, derived his influence from the personal friendship of Pitt.

The paper drawn up by Dundas, for the information of his chief, if it meant anything, meant that no peace could be concluded by the Ministry as then constituted. Pitt himself appears to have adhered to neither of the four parties in the Cabinet. He had by turns favoured every opinion; but he always regarded the termination of the war as preferable to either. A fortnight before the date of Dundas's paper, he had expressed his willingness to concede the naval armistice, although the benefits of such a measure must be wholly on the side of France. But he said the alternative was a renewal of the war between France and Austria, with the probable result of new military disasters terminating in the ruin of our only ally.[n]

Before the correspondence with Otto was brought to a close, Malta, after a siege of two years, surrendered to the English. A vigorous attempt had been made early in the year to relieve the garrison; but Nelson, anticipating such an attempt, took it upon himself, according to his practice, when he thought any great service was to be performed, to quit his station without orders, and cruise in search of the expected squadron. The

[n] Lettter to the Chancellor, 5th September, 1800.—Lord Stanhope's *Life*, vol. iii. p. 240.

result was that he fell in with 'The Généreux,' one of the French ships of the line, which had escaped from the Nile, convoying three frigates, and a corvette laden with troops and supplies for Malta. After a short engagement, the line-of-battle ship and one of the frigates were taken; the other ships escaped to Toulon. 'The Guillaume Tell,' the last of the French seventy-fours, which had fought in the bay of Aboukir, was captured by three English frigates, in attempting an escape from the harbour of Malta.

Concessions of Austria.

The armistice of Alessandria had expired on the seventh of September; but the Austrians, not being prepared to resume the campaign, and still hoping that the necessity for a renewal of hostilities might be averted, were content to purchase an extension of the truce for forty-five days by the surrender of the great fortresses of Ulm, Philipsburgh, and Ingoldstadt. As a further earnest of his desire for peace, the Emperor dismissed Baron Thugut, the Minister whose counsel had always been for war, and appointed in his place the Count Cobentzel, who had negotiated the treaty of Campo Formio. Cobentzel himself went to Paris, and, after having been subjected to an ebullition of the insolence and ill humour which the Ruler of France frequently vented on the representatives of foreign powers who would not readily submit to his dictation, was referred to Joseph Bonaparte at Lunéville, where the formalities of a conference had for some time been observed. The policy of the First

Ch. 40. 1800

Consul, with regard to negotiation, was the same as that which commended itself to the most prudent and practical section of the English Cabinet. Each desired to treat on a separate basis: Bonaparte, because he thought he could impose his own terms on Austria unsupported by Great Britain; the English Ministers, because they had little faith either in the resources or the stability of their ally, and were, moreover, of opinion that England could obtain better terms than if her claims were connected with German interests. The Court of Vienna, on the other hand, were sensible of the advantage to be derived from the support of England at the conference, as well as of the impolicy of giving offence to their best friend by a breach of the recent compact, which precluded either party from making a peace, or even accepting an overture without the concurrence of the other. Above all things, the Emperor desired peace; and if peace could be purchased by the sacrifice of British connection, he was content; but he was not so rash as to make the sacrifice, until he had secured his object. Cobentzel, therefore, proposed a joint negotiation; and when this was refused, he was instructed to propose a secret negotiation, but that a British Minister should be present at Lunéville. But this mean and shallow subterfuge was rejected with contempt; and the Austrian Minister, being prepared with no other offer, the conference lingered in suspense until the twentieth of November, when the armistice expired.

The military power of France was very different to what it had been in the preceding year under the incompetent administration of the Directory. Armies, estimated from four hundred thousand to nearly half a million of men, well found, and well commanded, were actually in the field. The grand army of the Rhine under the renowned Moreau, mustered one hundred and forty thousand. In Italy, Brune commanded ninety thousand. Other corps under Augereau, Macdonald, Suchet, and Murat, were detached in different parts to support the operations of the main armies. Austria had a disposable force of nearly equal amount; but none of her generals were men of repute. The great army of one hundred and thirty thousand men opposed to Moreau was led by a youth, who had neither reputation nor experience, the Archduke John, whose only qualification for command was royal birth. Bellegarde, an old marshal of the Empire, was at the head of one hundred and twenty thousand men in Italy. Among the minor corps was a well appointed army of twenty thousand British troops under Sir Ralph Abercromby, which had left England in June, and had been kept mostly on board their transports in the Mediterranean, ready to act upon any point when their services might be needed.

Notwithstanding the advanced season, the French armies were in motion a few days after the termination of the armistice. The army of

Ch. 40. 1800

Italy and the army of the Rhine were to march on Vienna by different routes. The one was to cross the Mincio and the Adige, proceeding by the Alps; the other was to cross the Inn, and proceed by the valley of the Danube. Moreau marched towards the Inn on the 28th of November, driving the advanced posts of the Austrians before him. It was, however, the intention of the Austrians to defend the line of the river, and to stop the progress of the French. On the 3rd of December, in a heavy fall of snow, the Austrian columns advanced with a heavy train of artillery, which, with the baggage, had to be conveyed along a single road through the dense forest of Hohenlinden. Before they could emerge from this perilous position, General Richepanse, with a body of infantry, dashed into the forest, and attacked the guard of the train, consisting of three battalions of Hungarian Grenadiers. After a short struggle the guard gave way, and a scene of irretrievable confusion immediately took place. A panic seized upon the artillerymen. The drivers cut the traces of the carriages, and fled. Eighty-seven pieces of cannon and three hundred waggons were abandoned. The artillery being some distance in advance of the march, the effect of their flight was, that they fell back upon the central columns which were defiling through the forest, throwing them into disorder, which soon ended in a tumultuous retreat. Meanwhile, the left wing of the Austrian army was held in

check; and the right, after maintaining for some time an obstinate struggle with several French divisions, likewise retreated when they found that the disaster of the main body rendered their efforts useless. After a loss of twenty-five thousand men and a hundred guns, the Austrians effected their retreat across the Inn, and fell back to cover Vienna. The Archduke Charles, who had led the Austrian army on the Rhine in the former campaign with so much ability and success, was hastily recalled to the command. But it was too late. Though, in several minor affairs since the battle of Hohenlinden, the advantage had been on the side of the Archduke, it was hopeless to withstand the triumphant progress of the French armies. To save his capital, the Emperor was compelled to sue for peace; and on the 25th of December an armistice was concluded at Steyar, by which the fortified places in the Tyrol, in Franconia, and Bavaria, with all their military stores, were surrendered to the French. On the 16th of January, the army of Italy under Marshal Bellegarde also obtained a suspension of arms, by the cession of all the strongholds except Mantua, which was subsequently given up at the peremptory demand of Bonaparte. By the treaty of Lunéville signed on the 9th of February, the boundary of the Rhine was again yielded to France; and the Adige was assigned as the limit of the Austrian dominions in Italy. The Emperor apologised, in a letter addressed to the King, for

Ch. 40. — 1800

negotiating a separate peace;[o] but it was readily admitted that, in this instance, no imputations of bad faith could fairly attach to the conduct of the Court of Vienna.

Isolation of England.

England was thus, once more, left alone, for she was encumbered, rather than aided, by such helpless allies as Portugal, Naples, and Turkey. Her precarious alliance with Russia had been already changed into avowed hostility. Bonaparte had found little difficulty in gaining over the wayward barbarian who ruled at St. Petersburg. Paul had been much incensed at the result of the expedition to Holland, and was easily persuaded that his troops had been sacrificed by the jealousy or incapacity of the British commanders. He would not take any part in the ensuing campaign. Since the battle of Marengo, the autocrat had regarded the first Consul with feelings of admiration, not unmixed, perhaps, with fear. Bonaparte had agents at St. Petersburgh, well instructed, to foster these sentiments. He sent back the Russian prisoners taken in Holland. He flattered Paul with a promise of the island of Malta, to which he preferred a claim as Grand Master of the Order of St. John of Jerusalem—a claim, which he alleged, not without reason, to have been admitted by the English Government.[p] While the Russian autocrat

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[o] T. Grenville to Marquis of Buckingham.—*Courts and Cabinets of George III.*, vol. iii. p. 117.

[p] We said that a convention to that effect had been signed.

was in this temper, events took place, which either inflamed his anger, or furnished him with a pretext for hostile demonstrations against England. Since the commencement of the war, the right of searching neutral ships, either for the property of the enemy, or for contraband of war—a right well established by the law of nations—had been rigorously enforced by the English cruisers. Some of the maritime nations, and especially the Baltic powers, protested against this doctrine, contending for the qualification, that the neutral flag should cover the cargo, except contraband of war. This was the foundation of the famous Armed Neutrality of 1780; a league intended to humble the naval superiority of Great Britain, but never carried into effect, and at length formally abandoned. The maxims of the Armed Neutrality were, nevertheless, just and reasonable, and have lately been adopted in their integrity by all the maritime powers of Europe, at the suggestion of England, France, and Russia. But, though the right of the belligerent to visit a neutral private ship on the high seas was the undoubted law of nations, the exercise of that right, with regard to a ship sailing under a convoy, without the consent of the convoy, had frequently been disputed. On the only

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This was not the fact; but it seems clear, that he was promised the island; and that the promise would have been fulfilled, if he had not quarrelled with this country.—*Courts and Cabinets of George III.*, vol. iii. pp. 101-3.

Ch. 40. — 1800

occasion on which this claim had been practically asserted by Great Britain, it was immediately resisted by force, and eventually led to a rupture with the neutral flag.[q] At the close of the year 1799, the captain of an English frigate stopped several merchantmen sailing under convoy of a Danish man-of-war. The Danish captain fired on one of the boats sent to examine the ship's papers. The English officer then desisted from his attempt, upon the understanding that Captain Van Dockum, the Dane, would proceed to Gibraltar, and report what had happened to Lord Keith, the English admiral on the station. Van Dockum, having declared that he acted by the orders of his Court in refusing to permit his convoy to be visited, and declining to submit the question to the English Admiralty Court, the matter was referred by Lord Keith to his Government. The British minister at Copenhagen was accordingly instructed to demand an apology for the violence offered to the English flag, and a disavowal of the officer who had committed it. The Danish Government, however, justified the act of their officer, on the ground that the right of search did not extend to ships under convoy. While this affair was pending, another collision took place. The captain of the Freya another Danish frigate, having resisted an attempt to search some merchant ships under his

[q] The detention and capture of the Dutch merchantmen under the convoy of Admiral Byland.—Ante, vol. iii. p. 27.

convoy, an engagement took place, in which several men on both sides were killed. The Danish ships were captured and carried into the Downs. Lord Grenville having in vain demanded reparation for what he thought proper to term, 'a wanton and unprovoked attack on His Majesty's flag,' Lord Whitworth was despatched on a special mission to Copenhagen, and a fleet was at the same time sent to threaten the Danish capital. The British envoy declared, that if the demands of his Court were not fully satisfied within a week, he should quit Copenhagen. But the Danes were not intimidated. Lord Whitworth had sought to demonstrate the absurdity of the Danish doctrine, with regard to the inviolability of convoy, by the argument, that any insignificant power which had any pretension to a flag, might thus cover the whole commerce of the enemy. Count Bernstorff replied, that a fraudulent use of the flag would be a breach of neutrality; but that the possibility of an abuse of his right by a neutral, could not justify the belligerent in asserting his right of visit, when the merchantman was under the protection of a ship of the State. The Count, however, with real or affected moderation, proposed to refer the question to a mediator, and he named the Emperor of Russia, a potentate who was notoriously incapable of forming a sound opinion on any subject, and who made no secret at that time of his anger against England. The Danish minister, in his reply to the

Ch. 40. — 1800

Ambassador, had only repeated the argument with which he had met the former application for redress by Mr. Merry, the British Chargé d'Affaires. Nevertheless, Lord Whitworth changed his tone, and, instead of leaving Copenhagen at the end of a week, he made a conciliatory reply. He declined, indeed, the mediation of Paul; but he expressed his belief that a candid and friendly discussion would remove all the causes of misunderstanding. Two days after the date of this note, a Convention was signed, by which the question, as to the right of searching ships under convoy, was indefinitely postponed. The Freya, and the vessels under her convoy, were to be immediately restored; and the damage done to the Danish frigate was to be repaired in an English port. The Danish convoys were to be discontinued until the question in dispute should be decided by a definitive treaty. Such was the strange termination of this dispute. An Envoy of the first rank, backed by a powerful squadron, had been sent to exact immediate satisfaction for an outrage alleged to have been offered to the British flag; and, after a short correspondence, in which the facts remained unchanged, the Envoy, instead of obtaining satisfaction, makes reparation to the offending party, and the real question at issue is evaded by mutual consent.

The Emperor Paul, far from regarding these transactions with the equanimity of a mediator, resented the conduct of England as an attack on

the independence and neutrality of the Baltic powers. On the 29th of August, the same day on which the Convention had been signed at Copenhagen by the Plenipotentaries of England and Denmark, Paul, in violation of an express article in the Treaty of 1793, laid an embargo on all English property within his dominions. He subsequently ordered the crews of three hundred British merchant ships to be made prisoners, and marched into the interior. This was followed by a renewal of the Armed Neutrality on the principles of 1780, with the additional term, that ships under convoy were exempted from the right of search. Sweden, whose merchant flag had lately been violated in the grossest manner by British cruisers,[r] entered into a convention with Russia on these terms.

Denmark, which at this time had an extensive carrying trade, was unwilling to risk the neutrality of her flag, but was ultimately compelled by the pressure of the Courts of Petersburg and Berlin, to accede to this treaty. Prussia herself was not a party to the league; but her hostility to Great

[r] Some officers and men belonging to the blockading squadron off Barcelona had stopped a Swedish galliot, called the Hoffnung, and compelled the crew to carry them and their boats under the neutral flag into the harbour, where they cut out and captured two Spanish frigates lying at anchor. This lawless act had nearly embroiled the Swedes with the Court of Spain, which sought (contrary to the well-established principles of international law) to hold them responsible for the treachery of which they had been the helpless instruments.

Ch. 40. 1800

Britain had been sufficiently manifest on a recent occasion. A British cruiser had captured, at the mouth of the Texel, a Prussian merchantman, containing contraband, and, forced by stress of weather, had carried her into the neutral port of Cuxhaven. The Government of Hamburgh, having, in these circumstances, hesitated to deliver up the ship at the requisition of the Prussian authorities, a Prussian force immediately occupied Cuxhaven. The ship was then restored, and Lord Carysfort, the English Ambassador at Berlin, remonstrated strongly against the presence of a Prussian army in a territory, which he plainly intimated could have been entered, only with a view to the occupation of Hanover. The Prussian minister made a haughty reply, and refused to withdraw the troops.

British Embargo.

The British Government, on being informed of the league of the Baltic, immediately retaliated, by an order in Council, laying an embargo on all the ships of Russia, Sweden, and Denmark, in the ports of the United Kingdom.

A few weeks before the formation of the Northern League, in immediate subserviency to the interests of France, the Consular Government had accommodated the long-standing differences between the French Republic and the United States of America, by a treaty based on the principle of free ships, free goods; a doctrine highly favourable to a maritime neutral, but one which Great Britain had always resisted as contrary to the law of

nations, and derogatory to her belligerent rights. Thus, by a policy which showed him to be not less a statesman than a general, the First Consul made France once more appear as the generous ally of the young Republic, of which she had been the earliest friend and benefactor; while England was exhibited in the invidious light of an arrogant and selfish monopolist, who could not carry on war without encroaching to the uttermost on the commerce and navigation of the neutral flag.

But France, the military dictator of Europe, combined with the confederated rivals and enemies of England to reduce her maritime supremacy, was not so terrible to the great Minister of England, as a domestic misfortune which had befallen the country, and for which he saw no adequate remedy.[8] He was under the apprehension that the country was about to be visited by famine. Such a fear could hardly have taken possession of his mind, had not his health been broken, and his nerves relaxed. There was, indeed, no sufficient ground for such alarm. A partial deficiency in two succeeding harvests could not fail to be felt under a restricted trade in corn. The price of wheat had risen to upwards of six pounds a quarter, a price with which the people became familiar during the long succeeding years of war and

[8] Pitt to Addington, Oct. 8th, 1800.—Earl STANHOPE'S *Life of Pitt*, vol. iii. p. 244.

Ch. 40. — 1800

protective duties, but which had never yet been attained. In 1795-6, a year of scarcity, corn was seventy-seven shillings a quarter, and importation was largely resorted to. But the prevalent opinion was, that nothing could be more dangerous than trusting to the foreign market, to supply the deficiency of the home; and the monetary disturbances of 1797, which led to the suspension of cash payments, was attributed, in a great degree, to the export of bullion in exchange for foreign corn in the preceding year. The pressure on the home market, therefore, far from suggesting the expediency of lowering the barriers against foreign produce, seemed to show the necessity of raising and strengthening them. By the Act of 1773, the ports were opened to foreign corn, when the price was forty-eight shillings. But in 1791, when the increase of population rendered it the more necessary to enlarge the area of produce, the standard of protection was raised to fifty-four shillings; and so steady was the progress of perverse legislation with reference to the question, that in 1814, the last year but one of the war, the prohibition upon foreign wheat was continued until the quotation of the home market was eighty shillings. The capacity of the soil for increased production had not yet been developed in proportion to the increase of population. Until the beginning of the present century, when the first census of the people was taken, the only authentic records of the population were the parish

registers. These are very imperfect; but the growing pressure on the means of subsistence during the reign of George the Third, caused mainly by the rapid progress of manufactures, is shown by the enormous multiplication of inclosure acts. In the year 1710, Parliament, for the first time, sanctioned the cultivation of common land. Only one other act of this description was solicited in the reign of Anne. In the thirteen years of George the First, sixteen acts only were passed; in the thirty-three years of George the Second, there were two hundred and twenty-six. But from 1760 to 1796, no less than fifteen hundred and thirty-two inclosure acts had been passed. The extent of land thus inclosed is not ascertained; but it is estimated, in round numbers, at three hundred and forty thousand acres in the half century before the accession of George the Third; and at nearly three millions in the thirty-six succeeding years.[t] But a small portion of the land so reclaimed could be adapted to the cultivation of wheat without an outlay which high prices only could remunerate. A large proportion of it was suited only for the lower cereal

[t] *First Report of Commons' Committee on Waste Land*, 1797. They recommend the immediate addition of one hundred and fifty to three hundred thousand acres 'to the land now in cultivation, as the only effectual means of preventing that importation of corn, and disadvantages therefrom, by which this country had already so deeply suffered.' The high prices obtained during the war, and under the protection of the old Corn Laws, made it worth while to break up very inferior soils, as well as rich old pastures.

Ch. 40. — 1800

growths. The creation of a new class of labourers, the offspring of the manufacturing system, receiving far higher wages than ploughmen and carters, had caused a demand for an increased supply of animal food; and it was found more profitable to enclose the vast tracts of open down and upland, which had hitherto been used as sheep-walks, and to convert them into stock farms, than to prepare the heavier soils adapted for the production of wheat. Thus it came to pass that the staple of English food was not much benefited by taking in the wastes; and, indeed, it may be doubted whether the inclosure of common lands had as yet increased to an appreciable extent the breadth of acreage available for the cultivation of the wheat crop.

Every reason but the true one was assigned for the scarcity which subjected every class below the opulent to different degrees of privation, and depressed the most numerous class which, in ordinary times, can hardly keep above the level of subsistence, to absolute want. A philosophic writer had lately demonstrated, with alarming force of reasoning, that while the tendency of the population to increase was unalterable and incessant, the power of adding to the means of subsistence was limited.[u] It followed, therefore, that instead of encouraging the propagation of the

[u] The celebrated work of Malthus, on Populations, was published in 1798.

species, which had been the policy of this, as well as of every other country, it was the duty of the moralist and the lawgiver to check the multiplication of the human race. The author of this doctrine was assailed with ignorant clamour, as if he had set himself up against the law of God and nature, and sought to contaminate the morals of the people. But the practice of encouraging early marriages, and of giving bounties on the production of the human species in the shape of rewards to the parents of large families, which country gentlemen and parish clergymen thought the highest offices of patriotism, did, in fact, depress the moral, as well as the physical condition of the poor. They were thus given to understand, that the prudence and restraint which, in regard to marriage, are prescribed to the higher ranks of society, are virtues with which the lower orders had no concern; that they fulfilled the end of their creation by perpetuating their kind; and that such of their offspring as were not required for the service of the commonwealth, had a right to be maintained by its charity.[v] It followed, that a peasantry, bred and nurtured under such a system as this, should be, for the most part, devoid of the independence and self-reliance

[v] The principle of paying wages to surplus labourers out of the rates, *in proportion to their families*, has been extirpated from the poor-law only within the last quarter of a century. It had lasted nearly long enough to complete the demoralization of the labouring classes, and was fast undermining property itself.

Ch. 40. 1800

which distinguish free labourers from serfs. They were oppressed by paternal government in its most degrading form. Employment was found for them; their children were apprenticed without consulting them; and if they sought to better their condition by seeking their fortune abroad, the law of settlement proved an effectual obstacle.

To maintain this system in the agricultural districts, it was necessary that artificial prices for his produce should be secured to the farmer, by protecting him against the competition of the foreign producer. The result was, that when a bad harvest raised the price of provisions beyond the ordinary standard, the pressure fell not upon the villages, where the people lived upon the rates, but upon the towns and manufacturing districts, where the employment of the working people was regulated by the demand of the general market for labour; and as a rise in the price of the necessaries of life diminishes the demand for manufactures, the pressure of laws which impede the supply of food ultimately falls with intolerable weight upon the small shopkeepers, and on the more intelligent and industrious classes of the labouring population.

The political opponents of the war—both Whigs and Jacobins—sought to turn the discontent of the people to account by persuading them that their privations were owing to the war. This was the truth, but not the whole truth, nor even a considerable part of the truth. But the explanation of the distress which found most favour, was

one which had no truth whatever, yet was put forth with perfect honesty and the conviction of profound ignorance. This was the doctrine of the Lord Chief Justice. The cornfactors were the evil-doers; it was they who had tampered with the food of the people, and intercepted the stream of plenty which flowed from the barns and granaries of the farmers. The Judges on their Circuits, following the example of their chief, harangued the grand juries on the crimes of forestallers, engrossers, and regraters, by which uncouth and antiquated names they stigmatized the corn-dealers, whose trade, in times of scarcity, so far as it extends, alleviates distress. The grand juries, accustomed to look up to the judges as authorities on political matters, as well as upon law, were too willing to believe that neither they nor their tenants were to blame.

The populace did not fail to profit by these lessons. Disturbances took place in London and in various parts of the country; but the riots instigated by the judges were the most formidable. Large bodies of men went about to the farmhouses, compelling the farmers to bring their produce to market, and to sell it at a low price. Associations were formed to fix a maximum price for articles of consumption. The corn-dealers, who had especially been held up to popular odium, were in great danger. They were not suffered to carry on their business; their persons were threatened; their houses were attacked;

Ch. 40. — 1800

and, in many instances, their property was demolished. Mr. Rusby, whom Lord Kenyon had caused to be convicted contrary to law, was marked out for signal vengeance. He himself escaped; but an excited mob broke into his house at midnight, destroyed all its contents, and as much of the building itself as they could pull to pieces. The Corn Exchange was threatened with demolition; but the promptitude and firmness of the Lord Mayor checked the career of the rioters. He read the riot-act, and a body of volunteers and constables, after some resistance, dispersed the crowd.

In these circumstances, Mr. Pitt wisely determined to assemble Parliament; not from any expectation that they could devise a remedy for the distress; but because it was desirable that the mischievous delusions which had been propagated should be dissipated without further delay. Pitt, however, was of opinion that the exigency might require some temporary measures, such as a guaranteed price for importations of corn and rice, the prohibition of the manufacture of starch, and the suspension of the distilleries.[w] Lord Grenville, on the other hand, a stern disciple of the school of the Economists, would admit of no paltering with the doctrine of free trade.[x] 'I am

[w] Pitt to Addington, 9th October, 1800.—Earl STANHOPE'S *Life of Pitt*, vol. iii. p. 244.

[x] Ibid, p. 248.

confident,' he says, in a letter to Pitt at this time, 'that provisions, like every other article of commerce, if left to themselves, will and must find their level; and that every attempt to disturb that level by artificial contrivances has a necessary tendency to increase the evil it seeks to remedy. In all the discussions with which we are overwhelmed on this subject, one view of it is wholly overlooked. Every one takes it for granted, that the present price of corn is in itself undue, and such as ought not to exist, and then they dispute whether it is to be ascribed to combinations, which they wish to remedy by such means as will destroy all commerce, or to an unusual scarcity which they propose to supply by obliging the grower to contend in the home market, not with the natural rivalship of such importation as the demand might and would produce of itself, but with an artificial supply poured in at the expense of I know not how many millions to the state.'

Ch. 40. 1800

This was true so far as it went; but it did not go far enough; and, stopping at an intermediate point, Grenville's argument was practically unsound. The law of supply and demand is a universal law, which cannot act, except in a free and open market. One hundred and twenty-seven shillings a quarter, was, probably not more remunerative to the English farmer in the year 1800, than fifty-four shillings in 1798. But it was a mockery to tell the consumer, who was compelled to eat the bread of monopoly, that it

Ch. 40. — 1800

was unreasonable to complain of high prices. Lord Grenville, fifteen years later, embraced the doctrine of Free Trade, so far at least as corn is concerned, in its integrity.[y] But, at this time, neither he, nor any other public man of credit, was prepared to go that length. Pitt, certainly, was not so advanced in his opinions; and, if he had been convinced himself, all his powers of persuasion, and all his authority, would have been insufficient to convince the country that a free importation of the necessaries of life was the true policy for a great and populous nation. He might, indeed, as well have attempted to pass the Duke of Richmond's Reform Bill, as to repeal the Corn Laws. Lord Grenville accused Pitt of departing from the doctrine of Free Trade, and of forsaking the precepts of Adam Smith, for the teaching of Lord Liverpool.[z] But the rule of Free Trade was inapplicable to a market founded on protection. All the ministers except Grenville were agreed, that extraordinary measures were required to meet the distress.

Parliament met on the 11th of November; and the Royal Speech was made the appropriate vehicle for the deliberate censure of His Majesty's Government upon this mischievous nonsense, which the judges, and other persons of station and

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[y] The celebrated protest of ten lords against the Corn Act of 1815 was drawn by Grenville.—*Lords' Journal.*

[z] Letter above quoted.

authority, had been spreading during the recess. 'If it shall appear,' the King was made to say, 'that the evil, necessarily arising from unfavourable seasons, has been increased by any undue combinations, or fraudulent practices, for the sake of adding unfairly to the price, you will feel an earnest desire of effectually preventing such abuses; but you will, I am sure, be careful to distinguish any practices of this nature from that regular and long-established course of trade, which experience has shown to be indispensable in the present state of society, for the supply of the markets, and for the subsistence of the people.' Many petitions were presented from the populous districts of London, and from the large towns, complaining of the scarcity under which the labouring classes were perishing, and the middle classes were becoming pauperised. These petitions, which, for the most part, were headed by the rector and churchwardens, or the mayor and corporation, in almost every case attributed the distress to forestallers, engrossers, and regraters. Some of them added large farmers, whose capital enabled them to withhold their produce until they could obtain their price; while the small occupiers were forced to sell their produce for what it would fetch. The House, however, was all but unanimous in reprobation of such ignorant prejudices; and, though the distress continued with little abatement during the following year, and recurred at intervals in subsequent years, no more was

Ch. 40. 1800

heard of re-enacting the laws against forestalling, nor of passing acts, to restrict the investment of capital in agriculture. The occasional measures adopted by Parliament were such as the exigencies seemed to suggest. Bounties were readily granted on the motion of the Government, on the importation of corn, of wheaten flour, of Indian rice and pulse. Acts were also passed, prohibiting, for a limited time, the use of corn in distillation, and the manufacture of starch. The exportation of corn, and provisions of every kind, was also prohibited. The curing of fish was encouraged by several exactments. Many of these temporary expedients were adopted on the recommendation of a committee, which had been appointed on the first day of the Session. Many of their suggestions were sensible; some were frivolous. And one of these measures, to which they seemed to attach the greatest importance, proved so mischievous, that it was hastily repealed after a trial of a few weeks. This was the Act, to prohibit the making of bread solely from fine flour, commonly called the Brown Bread Act. It was thought that this would effect a great saving in the raw material. But it was found, that the prejudices of the people against lowering the standard of food were insurmountable; and the attempt was resented with so much indignation, that it was wisely determined not to persevere with the experiment. Finally, upon the addresses of both Houses, a Royal proclamation enjoined economy

in the use of grain, and the substitution of other articles of consumption, so far as was practicable. This advice had been already anticipated by the higher classes, and was soon adopted generally by householders. There are never wanting representatives in Parliament of any folly or fallacy which may be prevalent out-of-doors; and members were, therefore, ready to propose specific remedies for the distress, in the shape of a minimum wage of labour, and a maximum price of food. The first-mentioned remedy—which, as Lord Grenville truly observed, drew after it the second—found an advocate in the Marquis of Buckingham, who had the obstinacy and querulousness, without the capacity of the Grenvilles. The head of the family was followed in this antiquated error, by his brother Thomas, better versed in diplomatic than domestic affairs. And it required all the authority of Lord Grenville,[a] to restrain his elder brother from taking the lead in an agitation, which would have been far more mischievous than the clamour against the

[a] In a letter to the Marquis, he says, 'My steady persuasion is, that example, and (at the very utmost) the execution of the subsisting laws can alone remedy the evil, *which laws and the introduction of an artificial system have created*, and which new laws and a system still more forced can only increase.'—*Courts and Cabinets of George III.*, vol. iii. p. 100. It is remarkable that, while there was a dearth in England, the produce on the Continent of Europe and in America had been *unusually abundant*. This fact was stated by Pitt himself in the House of Commons. Hence, under a system of free imports, the deficiency of this country would have been compensated by the foreign trade.

Ch. 40. — 1800

corn-factors. Grenville, however, thought that the employers of labour might be urged by example to give better wages. And in the agricultural districts, where the farmers, in accordance with the spirit in which they administered the Poor Laws, kept wages down to the level of subsistence, such an example might have been beneficial. But the colleagues of Grenville in the Government were of opinion, that even this qualified interference with the labour-market was not desirable. They were willing to enforce the laws of supply and demand as regarded the servant, but not as regarded the master.

Extent of private benevolence.

In addition to the measures taken by the legislature, every effort was made by private benevolence to alleviate the distress. But the people were sullen and discontented. They accepted, as of necessity, the relief provided for them, but they seemed carefully to avoid any expression of gratitude for the care which was taken of their want. They felt, as if by instinct, that their sufferings were more the act of man than the act of God; but bewildered as they were by the counsels of ignorance and malignity, they had but an imperfect perception of the real cause of their privation. Many believed that the corn was carried out of the country to feed the garrisons abroad; others complained that the oats consumed by the cavalry horses had displaced the growth of wheat for the people. Not a few roundly asserted, that there was in reality no dearth at all; but that an artificial

scarcity had been created by the machinations of the corn-dealers. These gross delusions passed away; but the close of the eighteenth century marked an era when the poor were alienated from the rich, when a sense of injustice and oppression rankled among the inferior orders of society, and when doctrines were taught which tended to the dissolution of society itself. The present generation has happily witnessed the close of this dark and dangerous period. The causes of dissension went on striking deeper and spreading wider for nearly thirty years. But, at the same time, knowledge was being diffused among the upper, as well as the lower ranks of the community. At the time of the greatest gloom, a change took place. In 1828, the Test and Corporation Acts suddenly gave way. In the following year, the Catholic bulwarks were hastily removed. Thus the first burst of the storm carried away the rotten outworks of intolerance, which had been so long guarded with superstitious care, and the cause of religious liberty was, in a moment, and for ever after, triumphant. The crisis immediately followed. The revolution of 1830 saved the state from the perils of democracy by which it was in danger of being overwhelmed, and fulfilled the scheme of the British constitution. Then the barriers of commercial monopoly were broken down; and, finally, the Corn Law fell. And thus was completed the harmonious system of religious toleration, of representative government, and com-

Ch. 40. 1800

mercial freedom. To this happy combination, attained by peaceful and lawful means, is to be ascribed in chief the prosperity of the nation, the utter disappearance of that sinister discontent among the great mass of the people which alarmed our forefathers, and the unshaken stability of our institutions, amid the shocks which have rent asunder ancient monarchies and modern Republics.

CHAPTER XLI.

FIRST PARLIAMENT OF THE UNITED KINGDOM—CATHOLIC QUESTION—CHANGE OF MINISTRY—KING'S ILLNESS—ADDINGTON SUCCEEDS PITT—PROCEEDINGS IN PARLIAMENT—BATTLE OF ALEXANDRIA—EXPEDITION TO THE BALTIC—PEACE OF AMIENS.

THE Session of Parliament which terminated on the last day of the eighteenth century, was the last Session of the Parliament of Great Britain. The Parliament which was next to assemble was, in consequence of the Act of Union, to be styled 'The Parliament of the United Kingdom of Great Britain and Ireland.' Corresponding alterations in the royal style, in forms, ceremonies and heraldic devices, were also rendered necessary by this event. Advantage was taken of the opportunity thus afforded to omit the title of King of France, which the Crown of England had assumed since the time of Edward the Third; and to remove the lilies of France from the royal shield. The French monarchy had been too magnanimous to remonstrate seriously against the continued assumption of a title which had long ceased to have any practical meaning; but the French Republic had thought it worth while to insist on the renunciation of this empty title as an article in a treaty of peace; and

Ch. 41. — 1801

as it was improbable that in a future negotiation, this demand would be withdrawn, it was thought more consistent with the dignity of the Crown voluntarily to renounce a pretension, however worthless, than to relinquish it on the dictation of the French Government, when at the height of military power.

First United Parliament.

The United Parliament was opened by Commission on the twenty-second of January. A question was raised that the Act of Union had put an end to the Parliament of Great Britain, as well as the Parliament of Ireland, and that the Parliament of the United Kingdom must be constituted by a general election. Such a doubt was expressed by Lord Eldon and other lawyers. But the better opinion was, that there was no reason to depart from the precedent of the Union with Scotland, and that the Act of Union had not altered the constitution of the Parliament of Great Britain with Ireland, but had provided only for the addition to that Parliament of representatives for the Kingdom of Ireland. The composition of the House of Commons, however, was so far changed by the transfer of the Irish representation, that it was thought fit to proceed to a new election for Speaker, and as the form of the oath was slightly altered, all the members were re-sworn. The business of the Session was commenced on the second of February, by a royal speech, which contained no indication of any change in the administration of public affairs. It contained few topics. The

Election of Speaker.

Union was referred to in general terms. The confederacy of the Baltic powers to introduce a new code of maritime law hostile to the interests of this country was duly reprobated; and the usual assurance of a desire to terminate the war on grounds consistent with the security and honour of the country was repeated. Yet three days after the speech had been delivered, the great Minister, who had ruled with all but absolute power for seventeen years, was forced to yield to the same stubborn will, before which the elder Pitt, and Grenville, and Rockingham, and the Coalition had, in turn, given way.

Dundas at the King's levee.

On the twenty-eighth of January, the King held one of his ordinary levees, at which it seems to have happened that Mr. Dundas was the only Cabinet Minister present. The King, in the presence of the whole circle, addressed Dundas in these terms:—'What is it that this young lord has brought over that they are going to throw at my head? The most Jacobinical thing I ever heard of.'[a] And, he added, according to his former fashion, when he did not approve of any particular policy recommended by his Minister—'I shall reckon any man my personal enemy who proposes any such measure.' This he repeated so loud as to be heard by the persons standing near. Dundas answered with spirit, 'Your Majesty will find among those who are friendly to that measure

[a] Rose's *Diaries*, vol. i. p. 303. He alluded to Lord Castlereagh.

Ch. 41. — 1801

some whom you never supposed to be your enemies.'[b]

The report of this brief dialogue soon flew all over London. It soon became known also what was the measure to which this astounding allusion referred. The measure was the relief of the Roman Catholics from civil disabilities; and Lord Castlereagh had been for some weeks past in London negotiating the progress of this measure with his Majesty's Government.

Discussion in the Cabinet.

In a letter from Castlereagh to Pitt, dated the first of January, the connection of this policy with that of the Legislative Union is fully and clearly recapitulated.[c] In the autumn of 1799, Lord Castlereagh, on the part of the Irish Government, represented to Mr. Pitt that the project of Union could not be carried through the Irish Parliament without the support of the Roman Catholic interest; and that the Catholics could not be conciliated without an assurance that the proposed measure would be conducive to the settlement of their claims. In consequence of this communication, a Cabinet was summoned to consider this question, and Lord Castlereagh was invited to assist at its deliberations. The result was 'that the opinion of the Cabinet was favourable to the principle of the measure; that some doubts were

[b] *Life of Wilberforce*, vol. iii. p. 7. Quoted also by Earl Stanhope.—*Life of Pitt*, vol. iii. p. 274.

[c] *Cornwallis Correspondence*, vol. iii. p. 326.

entertained as to the possibility of admitting Catholics into some of the higher offices; and that Ministers apprehended considerable repugnance to the measure in many quarters, and particularly in the *highest;* but that, as far as the sentiments of the Cabinet were concerned, the Lord-Lieutenant need not hesitate in calling forth the Catholic support in whatever degree he found it practicable to obtain it.' Lord Castlereagh proceeds, 'I certainly did not then hear any direct objections stated against the principle of the measure by any one of the Ministers then present. You will, I have no doubt, recollect that so far from any serious hesitation being entertained in respect to the principle, it was even discussed whether an immediate declaration on the subject to the Catholics would not be advisable, and whether an assurance should not be distinctly given them in the event of the Union being accomplished of their objects being submitted with the countenance of Government, to the United Parliament upon a Peace. This idea was laid aside principally upon a consideration that such a declaration might alienate the Protestants in both countries from the Union, in a greater degree than it was calculated to assist the measure through the Catholics; and accordingly, the instructions I was directed to convey to Lord Cornwallis were to the following effect; that his Excellency was fully warranted in *soliciting* every support the Catholics could afford . . . . . that it was not thought expedient at that time to give any direct

Ch. 41. 1801

assurance to the Catholics, but that, should circumstances so far alter as to induce his Excellency to consider such an explanation necessary, he was at liberty to state the grounds on which his opinion was formed for the consideration of the Cabinet. In consequence of this communication, the Irish Government omitted no exertion to call forth the Catholics in favour of the Union.' Lord Castlereagh went on to state, that the Lord Lieutenant was thus enabled to remove a difficulty which would have prevented the accomplishment of the Union; and that the leaders of the Catholic body with whom he entered into correspondence, were dissuaded by him from insisting on an express promise, for the reason that it was not fitting to make the removal of civil disabilities, and the accompanying measures of relief, a subject of bargain between the Catholics and the Government.

Castlereagh's promise.

According to this statement, the correctness of which has never been impeached, a positive promise was made for a valuable consideration. Castlereagh himself, who had concluded so many bargains on account of the Union, had never negotiated a contract more plain and binding than this, which was ratified by the immediate authority of the Cabinet. Some supporters of the Union had bartered their votes for titles, some for places, and some for money; but the Catholic community, without whose aid the great measure could not have been carried, and in the face of whose hostility it would not have been attempted, demanded only

honourable terms. They asked for an equality of civil rights with the rest of their fellow subjects. Their terms were granted, and their part of the engagement was punctually fulfilled. It only remained for the Government of the Crown to perform their promise, and, at the same time, to ensure the stability, and complete the noble proportions of the great work they had accomplished. The tools, and sycophants, and hirelings of the Government had been satisfied. No sooner was the work done, than they clamoured for their reward. So the peerages were created; the places were conferred; and the money bribes were paid. But Catholic emancipation was not yet granted. Indeed, no time had been fixed; and the Catholics were far from any inclination to embarrass the Government, by pressing for the settlement of their claims. Something had been said at the Cabinet about waiting for a time of peace. But the war might last until the friends of religious liberty were no longer in a condition to perform their promise. And no reason had been given, why a time of peace should be more convenient than a time of war, for entertaining the question. Lord Grenville was of opinion, that there could be no more fitting time to promote domestic harmony, and to do an act of justice and grace to the majority of the Irish people, than when England was wrestling with a foreign foe, and when Ireland was threatened with invasion. The Viceroy urged, that the question could not be postponed, and that, if

Ch. 41. — 1801

it was not soon brought forward by the Government, it would be taken up by the Opposition.

Proposed measures for Catholic relief.

Mr. Pitt yielded to these arguments; and, immediately after the Act of Union had been passed, the principal members of the Government prepared the outline of a measure, or of a series of measures, worthy the great and generous minds by which they were conceived. The sacramental test was to be abolished; and, in its stead, was to be substituted a political declaration, applicable to members of Parliament, office-bearers, ministers of religion of every denomination, and teachers of schools. A provision for the Catholic clergy, with the view of rendering them, to use the words of Grenville, 'more respectable in station; more independent of their flocks; and better disposed to the support of the established Government,' formed part of the plan. The tithe system, the sorest of the practical grievances of which the Irish Catholics complained, was to be adjusted in such a manner as to render it less oppressive to the great bulk of the people, Protestant as well as Catholic, who dissented from the Establishment. The details of this great scheme of pacification and Union were never drawn out. But such were the conceptions of Pitt and Grenville.[d] In the autumn of 1800, Lord Castlereagh was again in attendance on the Cabinet, to aid them by his

[d] Lord Grenville to Marquis of Buckingham, Feb. 2, 1801.—*Courts and Cabinets of George III.*, vol. iii. p. 128.

particular information in framing the Irish measures, which were to be submitted to Parliament in the ensuing Session.

The Cabinet assembled.

Thus far the business had proceeded; and the two statesmen intent on the elaboration of their plan, saw no danger from any quarter, except possibly from the old party of Protestant ascendancy on either side of the Channel. At length, it was thought time to assemble the Cabinet, in order that the Irish measures might be finally determined. And, on the 25th of September, Pitt wrote to the Chancellor, who was at Weymouth, informing him of the project in contemplation; referring him to some explanatory papers which he was to receive from Lord Grenville; and requesting his attendance in London, for the meeting of the Cabinet, on an early day.

Lough-borough's breach of confidence.

The King was at Weymouth when Lord Loughborough received this letter; and, though not in official attendance on His Majesty, the Chancellor appears to have cultivated the opportunity thus offered, to ingratiate himself with the King. He was now fully informed of the King's views on the Catholic question; and he was careful not to repeat the mistake which he had made in 1795; when, from ignorance of the strong bias of the Royal mind, he had answered the written questions which the King put to him on the Coronation-oath, in a manner far from agreeable to his client's wishes.[e] The crafty and supple lawyer knew that

[e] He complained of the 'abruptness' with which the questions

Ch. 41. — 1801

the surest road to His Majesty's favour was by flattering his prejudices; and as he desired above all things to recommend himself to the King, he was ready to follow that road whenever an opening should present itself. Fortune seemed to have favoured his highest hopes, when he received, at a moment when none other of the ministers was near the King's person, the announcement of the measure which had been concerted between the Prime Minister and the foremost of his colleagues. He had it now in his power to give the most signal proof of devotion to his Royal master, by revealing the counsels of the head of the Government, and by defeating his policy. Loughborough himself admitted, that he showed Pitt's letter to the King.' And there can be no doubt, that the whole plan communicated to him by Pitt and Grenville was by him communicated to his Majesty.[f]

Loughborough and Castlereagh.

The Lord Chancellor having thus secured, as he supposed, the confidence and gratitude of the King, went to London to attend a Cabinet Council on the last day of the month. He examined Lord Castlereagh, who was present on this day, as he had been at former meetings of the Cabinet, when the affairs of Ireland were discussed. The Irish Secretary appears to have been exceedingly

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had been put to him by the King, and thought an unfair advantage was taken of him.—ROSE'S *Correspondence*, vol. i. p. 300.

[f] Lord CAMPBELL'S *Lives of the Chancellors*, vol. vi. p. 326.

reserved in his answers, and to have denied that any promise had been made to the Catholics, and, even, that encouragement had been given them to hope for immediate relief. The Chancellor raised many objections to the measure. Considerable doubt was manifested by other members. Pitt, disappointed at the turn the discussion had taken, postponed the further consideration of the question to a future day. Ch. 41. 1801

The strange part of the story, so far, is that the Chancellor should have derived his first information of this most important business from the letter of Mr. Pitt, on the 25th of September, 1801, when the whole matter had been fully discussed, and the faith of the Government pledged at a meeting of the Cabinet twelve months before. The last mentioned Cabinet was summoned for the special purpose. It appears, from Lord Castlereagh's account, that it was attended by several members;[g] yet the Lord Chancellor never received any report of the proceedings of that Cabinet, either from the first Minister, or any of his colleagues who were present. The whole transaction appears inexplicable upon the modern theory and practice of the joint and several responsibility of the leading members of administration for measures determined in Cabinet Council. And this omission seems the more remarkable, when we find that two persons, high in office indeed, but not Members of the Cabinet, thought

[g] Letter to Mr. Pitt, quoted above.

Ch. 41. 1801

themselves entitled to complain that they had not been apprized of a project of such importance as a scheme for the settlement of the Catholic question. Lord Clare, the Irish Chancellor, reproached the Lord Lieutenant and the Secretary in bitter terms for withholding from him the intentions of the Government. Clare, having been deep in the counsels of the Union, might well feel slighted, at being kept in ignorance of a matter so intimately connected with that great transaction. But there was a reason for this reserve. The Chancellor of Ireland was the most uncompromising, and by far the ablest and most influential among the opponents of the Catholic claims. He was not a man to be conciliated, corrupted, or silenced; he was deeply committed against any further concession to the Catholics; his conduct on the Maynooth Bill, in 1799, was not forgotten. The object of that Bill was to provide for the education in Ireland of students intended for the Catholic priesthood; and it formed part of the measure for the endowment of the Romish clergy, a branch of the great scheme of conciliation by which the Government sought to effect the substantial union of the two kingdoms. The Maynooth Bill had passed the Irish House of Commons as a Government Bill; but when it went up to the Lords, the Chancellor broke out into an invective against the Catholic priesthood, denounced the policy of supporting institutions for the education of the priests, and would not suffer the Bill to go into Committee. It

is probable, therefore, that Lord Clare would have made use of any information which might have been imparted to him as to the views of the Cabinet on the Catholic question, to raise a Protestant alarm in Ireland, and ensure the defeat of the whole policy. Another person, who felt himself aggrieved by the reserve of the Government, was Lord Auckland. This busy, mischievous politician, presuming partly on Pitt's friendship, and partly on an overweening conceit of his own importance, thought proper to write a long letter to Pitt, reproaching him as if he had been guilty of treacherous dissimulation, condemning the supposed measures, and intimating very plainly his expectation, that, in consequence of his disapproval, they would be abandoned. Pitt immediately answered this ebullition of impertinence and vanity with half a dozen caustic lines, which put a summary end to the correspondence.

The removal of the Test was not proposed, nor, as it would seem, even incidentally discussed, at the subsequent meetings of the Cabinet. At a Cabinet, on the ninth of October, probably the next meeting of the Ministers after the memorable Cabinet of the thirteenth of September, Pitt gave Lord Liverpool to understand that he was against the measure.[h] Shortly before the opening of Par-

[h] So Lord Liverpool told General Harcourt on the first of March following. Lady Harcourt's MS. *Diary*. The old lord complained that his colleagues had been accustomed to pay little attention to him.

Ch. 41. 1801

liament, the King asked the Chancellor whether anything was in contemplation? and Loughborough replied, nothing but a Tithe Bill, which he was himself preparing, and a scheme for pensioning the Catholic and Dissenting clergy.[i] About the same time Loughborough drew up an elaborate paper, in which all the arguments against the Catholic claims were summed up with great ability, but not containing a word either for or against the one objection, which the King considered insuperable — his Coronation Oath. This paper appears to have been laid before his Majesty on the thirteenth of December.[k] On the twentieth of January, the Archbishop of Canterbury, instigated probably by his brother-in-law, Lord Auckland, obtained an audience of the King to warn him against the measure of Catholic emancipation, which his Ministers were about to bring forward. A few days after this interview, the King brought the matter to a crisis, by his conversation with Dundas at the levee. On the thirty-first of January, Pitt addressed a letter to his Majesty, announcing that a majority of the Cabinet, including himself, were of opinion, that the admission of the Catholics and Dissenters to offices, and of the Catholics, as well as Dissenters, to Parliament, would, under certain conditions, be highly ad-

[i] Lord Loughborough's defence of his conduct.—Lord CAMPBELL'S *Lives of the Chancellors*, vol. vi.

[k] PELLEW'S *Life of Lord Sidmouth*, Appendix, vol. i. Lady HARCOURT'S MS. *Diary*.

visable, with a view to the tranquillity and improvement of Ireland, and to the general interest of the United Kingdom. The Minister then proceeded to recite the various reasons which had determined him in this opinion. He declared that opinion to be unalterable; and he concluded by distinctly intimating that his continuance in office must depend on his Majesty's consent to the proposed measures.

The King's reply to Pitt.

The next day the King answered this letter. He said that, according to his view, the Coronation Oath absolutely precluded him from entertaining any proposition inconsistent with the maintenance of the Protestant establishment, which expressly disqualified Papists from holding any employment in the state. He added that Mr. Pitt's proposition was not only one of this character, but that it tended to the overthrow of the whole fabric. The King, unwilling, however, to part with his Minister, proposed what he seemed to consider a compromise; namely, that if Mr. Pitt would refrain from pressing the question, his Majesty would say nothing more against the pretensions of his Catholic subjects.

Pitt's offer to resign.

Pitt's reply was an absolute tender of his resignation, which the King could no longer refuse to accept.

Pitt has been censured for committing himself to the policy of Catholic emancipation, knowing as he did, in common with every other man engaged in public life, the strong repugnance of the King

Ch. 41. — 1801

to any material concession of the Catholic claims. And he was supposed by some to have failed in his duty to the King, in withholding from his Majesty all information as to the measures which the Government contemplated proposing to Parliament with reference to this important question. But I do not understand that the Minister is under any obligation, either of duty or of courtesy, to confer with the Sovereign on any question of policy which may be under the consideration of the Cabinet. In former times, when the council deliberated in the presence of the Sovereign, he was the chief of his Ministers; but the modern system of Parliamentary Government, which involves the absolute and exclusive responsibility of the Ministers of the Crown, is incompatible with the participation of the Sovereign in the counsels of the Cabinet. If he disapproves of its policy, he has an appeal to the great council of the nation, and ultimately to the nation itself. But he cannot also have a voice in the policy against which he has the power of appeal. Mr. Pitt was therefore under no obligation to take the King's pleasure, with reference to any measure which he proposed to lay before Parliament, until the counsels of his Cabinet were fully matured. It is another question, whether Mr. Pitt, knowing as he did, since 1795, the King's strong repugnance to the Catholic claims, should have committed himself irretrievably to the policy of concession, without taking any pains to ascertain how far it was pro-

bable that this obstacle might be overcome. But Pitt's conduct in this respect also, seems to be wholly free from blame. He had undertaken, on the part of the Government, to carry forward a measure for the relief of the Catholics; he had not undertaken to do so immediately, or even to make the measure a capital question; but he did bring it forward without delay; and when he found an insurmountable obstacle in the highest quarter, he took the step which public and personal honour dictated. He resigned his office, and voluntarily surrendered power, such as no other Minister of this country had ever possessed. It was said at the time, and was believed by many who were not influenced by envy or detraction, that Pitt had either sought for a pretext, or willingly availed himself of a fair excuse to retire from a situation, which his failing health and the disappointment of his war policy had rendered irksome. But the real causes of great events are seldom accurately known or understood at the time when they take place. At the distance of more than half a century, every person who thinks it worth while to enquire can learn more about the fall of Pitt's administration than was accessible to any but the best contemporary information. The real cause was that which appeared below the notice of the many, who think it beneath their understanding to look for truth upon the surface. It is certain that Pitt quitted office for the reason publicly assigned,

Ch. 41. — 1801

and for no other; and that, far from wishing to retire, he gave up power with as much reluctance as Sir Robert Walpole or the Duke of Newcastle. There is every reason to believe that had Pitt been left to himself, he would have postponed the Catholic question to a more propitious opportunity. After the Cabinet of the 13th of September, the discussion of the subject was never formally resumed, and Lord Castlereagh was instructed to inform the head of the Irish Government, that in consequence of the adverse opinion of the highest law authority, the Cabinet did not think themselves warranted, in His Majesty's absence, and without information as to the opinions entertained in other quarters, in coming to a final decision on a business of such moment.[1] The further consideration of the subject appears to have been thenceforth confined to Pitt, Grenville, and Dundas. But the arguments urged by Grenville were unanswerable. 1. The Government were committed to the measure. 2. It was necessary to complete the scheme of legislative union. 3. It was of pressing necessity in the view of a descent on Ireland by the French. 4. The measure would certainly be proposed by the Opposition in Parliament, if Government hesitated. Lastly, the public expression of his opinion by the King had precipitated the time of action. The business of the Session was to commence on the 2nd of Feb-

[1] Lord Castlereagh's letter to Mr. Pitt, 1st January, 1801.

ruary. On the previous day, Pitt wrote to the King the letter above mentioned, which was drawn up in concert with Grenville.[m]

Attempt of Addington to dissuade Pitt from resigning.

The reports of the spies and sycophants who had access to the King, were, to a certain extent, corroborated by what he had learned from Grenville and Dundas. His Majesty had therefore anticipated the formal communication which he expected to receive from Pitt. On the 29th of January, he wrote to the Speaker, stating that he had been informed of Lord Castlereagh's intention to bring forward a measure to render Roman Catholics eligible to Parliament, and to office; and that this measure was, according to their own admissions to himself, favoured by Lord Grenville and Dundas, and, as he had been credibly assured, by Pitt. His Majesty, therefore, desired the Speaker to see Mr. Pitt, and to dissuade him, if possible, from a proceeding to which the King could never consent. In obedience to these commands, Addington

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[m] Lord Grenville to Marquis of Buckingham, 2nd February.—*Courts and Cabinets of George III.*, vol. iii. p. 128. Grenville was as little inclined as Pitt, at that time, to shrink from the responsibilities of office. Writing to Lord Buckingham, on the 2nd of February, he says, 'There could be no doubt of the line we were to follow in this unpleasant and unhappy state of things. I could heartily wish that the necessity of the thing itself had not brought the point to issue precisely at the present moment. My sense of the public difficulties is certainly much less than that which the public itself entertains; but still there is difficulty enough to make one wish *not* to quit one's post; but there seems to be no alternative, and so I flatter myself you will think.'—Ibid.

Ch. 41. — 1801

hurried off to Pitt's house; and the result of his interview appears to have encouraged a hope which he conveyed to the King the same day, that the great Minister would yield. But Addington must either have misunderstood Pitt's language and demeanour, or, which is more probable, Pitt was not disposed to accept Addington as the medium of communication with the King; for at the very moment of Addington's visit,[n] he must have had in his pocket the draft of the letter, which, on the day following, he sent to the King. And when Addington waited on the King the same evening, he received his Majesty's commands to form a new administration. Addington made, or pretended to make, another effort to persuade Pitt; but Pitt told him he entirely approved of the course which the King had taken; the expression he is reported to have used was, 'I see nothing but ruin, Addington, if you hesitate.'[o]

The New Cabinet.

On the 5th of February, Addington undertook the arduous task which had been imposed upon him. As Pitt had resigned without calling his colleagues together, and upon a question which had never been submitted to the Cabinet, the retirement of the chief minister did not necessarily

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[n] 31st January.—*Lord Sidmouth's Life* by Dean PELLEW, vol. i. p. 287.

[o] Dean PELLEW's *Life of Lord Sidmouth*, vol. i. p. 288.

involve that of the whole Administration. Nevertheless, every man of mark, with one exception, both in and out of the Cabinet, refused to serve under the new chief. Grenville, and Dundas, and Windham, and Spencer, followed their illustrious leader. The Duke of Portland, the Earl of Westmoreland, the Earl of Chatham, remained. The one man of ability in Pitt's Cabinet, who was willing to serve under Addington, was the Chancellor. But the Chancellor, who had steadily pursued his own advancement through all the changes and chances of public life, had, in this instance, played too deep a game. Whether he had really hoped, according to one opinion, that he might supplant Pitt; or, whether he merely obeyed the instinct of a base nature, in flattering the bigotry and obstinacy of the King, Loughborough was equally unsuccessful. So little was he concerned in the events which his intrigues had mainly contributed to produce, that, on the 4th of February, when Addington was Prime Minister, Lord Loughborough talked to Dundas, at the levee, of the foolish reports in circulation as to changes in the Ministry; and was astounded, when Dundas informed him, that Pitt, Grenville, and himself, were out of office.[p] The next day his own successor was named without his knowledge; the King himself having expressly desired that Lord Eldon should have the Great Seal. Lord Lough-

[p] Rose's *Diary*, vol. i. p. 304.

Ch. 41. — 1801

borough had no doubt thought it an easy matter to cajole a man of such mean capacity as the King. But his Majesty was not deficient in that perception of character, which their peculiar experience generally enables princes to acquire. During a reign of forty years, in which he had been accustomed to attend to every detail of public business, his Majesty had been served by a great variety of ministers; and he seems to have formed a tolerably accurate estimate of two generations of statesmen. Some of them he hated and feared—some he disliked and respected—some he used for his purposes—some he bore with for a time. He dissembled with many—he gave his entire confidence to none. Loughborough was one of those shameless self-seekers, and time-servers, who could deceive none but the most guileless and inexperienced. And the King was not, for a moment deceived by him.[q]

George the Third has been loaded with the obloquy of defeating a policy, to which the time was eminently propitious; and which, if adopted at that time, would, it is said, have averted great

[q] When the Archbishop had an audience to warn him of the new Popish plot, it is stated that 'the King, though he perfectly agreed with his Grace, yet made to the Duke of Gloucester a remark that shewed his knowledge of human nature, and his suspicion of design and interest ever lurking under, or joining to, other motives; for he said that the Archbishop meant to bring forward his brother-in-law, Lord Auckland, as one of the new Ministers, but that he (the King) meant no such thing.'—Lady HARCOURT'S *Diary*, MS.

evils. Pitt himself has been blamed for having mismanaged the question. If he had given the King timely warning of his intention, all would have been well. George the Third had yielded his opinion, on former occasions, to the representations of his Ministers, when properly submitted to him. It is true that he had frequently yielded his opinions; and unless he could always have commanded an indolent minister like North, or an obsequious minister like Addington, he could not always have his own way. During the long years that he had been served by Pitt, whenever the King's opinion had prevailed over the will of his Minister, it was the exception, not the rule. But there were points on which his Majesty was immoveable; and the Catholic question was one of them. Whatever the time, or the circumstances, it is certain that the King would have resisted; and that he would have parted with Pitt, or any other minister, rather than break his Coronation-vow. It is unfair, also, to blame George the Third, as if he had been the only obstacle at the time to the admission of Catholics and Dissenters to a footing of equality with the members of the Establishment. The King was supported in his opposition to this great change, by the Primate of England, and the Primate of Ireland; by the Lord Chancellor of England, and the Lord Chancellor of Ireland; by the Chief Justice of England; by the Chief Justice of the Common Pleas; and by nearly half the Cabinet. The old friends of civil and religious

Ch. 41. 1801

liberty, who had been foremost in the exclusion of the Papists, when they were dangerous to civil and religious liberty, now, consistently, with their principles, would have removed exceptional and temporary restraints, which were no longer necessary. But the friends of civil and religious freedom were, at this time, a small minority. The prejudices against the Romanists had survived the causes by which it had been originally justified. The Church of England was bitterly hostile to her fallen rival. The Dissenting congregations were, for the most part, equally intolerant. In no class did the hatred of Popery prevail more widely than among the bulk of the people. The genius of Rome is repugnant to the character of the Anglo-Saxon race. Her arrogant pretensions—her arbitrary rule—her shameless corruption—her cruelty, luxury, and pride, had for nearly three hundred years been the constant theme of scorn and invective, wherever freedom of speech and of conscience were endured. There was no reason for believing, that the prejudice against Popery, which had been rooted in the minds of succeeding generations of the English people, had lately given way to more liberal views. On the contrary, if the attempt had been made at the beginning of this century, to admit the Catholics to an equality of civil privileges, it is probable that the old alarm would have been revived, and that not all the weight and authority of Mr. Pitt, supported by a united Cabinet, and an assenting Sovereign, would have

reconciled the people to so great and sudden an innovation.

Nevertheless, Pitt might, had he been bent upon it, have forced the measure through Parliament; but, in doing so, he would have split up his party as Peel did in 1829, and afterwards in 1846. But Pitt was under no such stress of circumstances as compelled Peel to surrender the Test Act, and to abolish the Corn Laws. Pitt, in fact, treated the question of Catholic emancipation very much as he had treated the question of Parliamentary Reform. He considered each of these measures as right in itself, and as one which must eventually be carried; but he saw that the times were not favourable to either. As regarded Catholic emancipation, he had been drawn into a promise which must be formally redeemed. The whole tenour of his conduct on this occasion, and his offer to withdraw the question at the last moment,[r] sufficiently prove that Pitt was never really in earnest, as Grenville was, on Catholic emancipation; indeed, it is very doubtful whether he would have pressed the matter to the extent of a colourable support, had he not been urged forward by the strong will and sincerity of his principal colleague.

The nomination of Addington as his successor was an arrangement which exactly agreed with Pitt's view of a temporary retirement from office.

[r] Earl STANHOPE'S *Life of Pitt*, vol. iii. p. 303.

Ch. 41. 1801

His object was, in the first place, to hold together the compact mass of party which for seventeen years had supported his administration; and, in the second place, to keep out the Whigs.[a] It was necessary, therefore, that the Provisional Minister should be a man without any quality which might make him dangerous as a rival. Addington fully satisfied this condition. He was, indeed, a man of high respectability, and had filled with fair reputation an office of great dignity, the duties of which could be creditably discharged by any member of Parliament who possessed firmness, prudence, and patience. But he had no experience of public affairs beyond that which may be acquired by the clerk at the table, or the serjeant-at-arms. He was not a man of ability. He was not a man of family. His father had been Lord Chatham's physician; and to this happy accident he was indebted for his political fortunes. Addington, in a word, was the creature of the Pitts. The elevation of Addington to the Chair was submitted to, because such was the will of the all-powerful Minister. Nobody could raise any objection to him, because nobody knew any thing about him. Many men envied, and all

[a] On the 9th of February, Lord Castlereagh begins a long letter to Lord Cornwallis with these words: 'Mr. Pitt, from a conviction, I conclude, that the King's mind could not give way, and seeing the danger of the State falling into the hands of Opposition, has used his utmost influence with his friends to lend themselves to the new arrangements.' He adds in a postscript, 'Mr. Pitt has seen the first part of this letter.'—CORNWALLIS'S *Correspondence*, vol. iii. p. 335.

men admired his singular fortune. But that such a man should be Prime Minister of England, and at such a time, seemed absolutely preposterous. By some the appointment was considered as a premonitory symptom of the mental disease with which the King was again afflicted while the new arrangements were in the course of formation. By the Leader of Opposition the arrangement was pronounced 'a notorious juggle'[t]—an opinion which was not far from the truth, so far as the retiring Minister was concerned. Dundas, the private friend and confidential colleague of Pitt throughout his administration, though, perhaps, of all the late Cabinet, the least unwilling to be released from the cares of office, could not flatter his chief that a Cabinet directed by Addington would hold together, even as a temporary expedient.[u] From the commencement, to the close of its miserable existence, the head of the administration was assailed with a pitiless and unceasing storm of ridicule, which reminded old Parliament men of the stories their fathers used to tell of Sir Spencer Compton, Sir Thomas Robinson, and the Duke of Newcastle. Addington

Ch. 41. 1801

[t] Fox's *Correspondence.*

[u] 'Our friends, who, as an act of friendship and attachment to you, agree to remain in office, do it with the utmost chagrin and unwillingness; and, among the other considerations which operate upon them, is the feeling that they are embarking in an administration under a head totally incapable to carry it on.' Dundas to Pitt, 7th February, 1801.—Earl STANHOPE'S *Life of Pitt*, vol. iii. p. 279.

Ch. 41. — 1801

himself furnished the cue by which the popular contempt of his pretensions was condensed in a single phrase. During the King's illness, the principal obstacle to his recovery was want of sleep. The new Minister, acting upon a reminiscence of his early days, recommended the trial of a hop pillow, which his father had prescribed in similar cases. The hop pillow was used, it is said, with success, and contributed mainly to the restoration of his Majesty's health. When this anecdote was spread abroad, the Prime Minister became known by the title of the Doctor, and was seldom spoken of by any other name.

Health of the King.

The derangement of the King's mind, to which reference has been made, became apparent a few days after Pitt's resignation. The pain and anxiety attendant upon the dismissal of a Minister who had served him for seventeen years, coupled with the agitation caused by the attempt to make him violate what he believed to be an irrevocable and unalterable engagement, had thrown his infirm mind once more off its balance. On the 18th of February, the King closed the correspondence which had so much troubled him, by a short note, in which his late Minister was, for the first time, addressed as 'My Dear Pitt.'[x] At this time he

[x] Earl STANHOPE'S *Life of Pitt*, vol. iii. App. xxxii. The King parted from his illustrious servant without any of the ill-feeling which, on his part, had marked the retirement or dismissal of former ministers who had thwarted or attempted to thwart his will. But he could not trust himself to see Mr. Pitt. 'I thought,'

was under medical treatment for a feverish cold. On the 21st he became delirious, raved about the Catholic Bill, and spoke of Pitt, Grenville, and Dundas with imprecations. The Willises were then called in, and it was found necessary to put him under restraint. The presence of the Willises, though perhaps necessary, increased his irritation. He declared that he was not mad, and that if the elder Willis was sent for, there would be a Regency; in which event, he repeated what he had often said in his former illness, that he would never resume the functions of Sovereignty. Meanwhile, public business, much of which was urgent, could not proceed. The Bill for the repeal of the Brown Bread Act of last Session, which had given so much offence to the people, that it was thought necessary to hurry a repealing enactment through both Houses in a single day, awaited the Royal Assent; and it was thought a measure of such urgency that the Royal Assent was obtained at a time when the King was not a responsible

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he said to General Harcourt, 'we should both, perhaps, say something we should be sorry for; we might both be warm in argument, and therefore I thought it much better that we should put our thoughts on paper, and I sent for the Speaker as the friend of both.' He repeatedly said that his motives were conscientious, and that he held the oath so sacred, he could not give way. He spoke highly of Mr. Pitt, and he said the Speaker had told him that Mr. Pitt, though he regretted the thing, could not but revere the King for his steadiness and conscientiousness.'—Lady HARCOURT'S *Diary*, MSS. For other particulars relative to the King's illness, not before published, I quote the same authority.

Ch. 41. — 1801

agent. The Chancellor took the Commission for the Bill to the Queen's house; but the physicians would not permit him to see the King. Dr. Willis, however, undertook to get the Commission signed, and the Chancellor suffered this very questionable proceeding to take place. The physician told his Majesty that his signature was required to something for the comfort and happiness of his people; upon which, according to Willis's statement, the afflicted Sovereign made a touching reply, 'Is it,' said he, 'for the happiness of my people? Then I will sign my best George R.'[y]

On the 22nd of February, Mr. Addington thought it right to inform the Prince of Wales, the Duke of York, and his own colleagues, together with Mr. Pitt and Lord Grenville, of the King's

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[y] Lady HARCOURT'S *Diary*. It is recorded by Lord Malmesbury that the Chancellor said, when he returned from the palace, that his Majesty was in the perfect possession of his understanding.—*Diary*, vol. iv. p. 17, *Correspondence*. But according to Lord Colchester, the Chancellor told Lord Hardwicke he had not seen the King.—*Life of Lord Colchester*, v. i. p. 245. He told Fox the same thing.—FOX'S *Correspondence*, vol. iii. p. 336; and ROSE'S *Diary*, vol. i. p. 315. According to Rose, Loughborough said, that Willis, when he came out of the King's room, told him that there would be no difficulty in obtaining the royal signature to a dozen papers respecting which no detailed statements were necessary. And this professional opinion, reaching Lord Malmesbury by hearsay, is magnified into an imputation on the Chancellor of making a statement wilfully false upon a subject of the gravest importance. Lord Malmesbury's accuracy, when relating the political gossip of the day, is not to be relied on.

insanity. The Prince, on the following day, sent for Pitt, to consult him, as he said, on the present distressing occasion. Pitt said, he presumed that his Royal Highness had sent for him as one of his Majesty's Ministers. The Prince replied, that he had done so, and that he wished to know, in case of the continuance of the King's illness, what were the steps he meant to take? Pitt said, that he would answer his question, and give him his best opinion, on the express condition, that his Royal Highness would refrain from advising with those who were in opposition to His Majesty's Government. The Prince acquiesced, reserving only the liberty of maintaining his confidential intercourse with his friend, Lord Moira. At this point, Pitt seems to have terminated the interview, in order that he might consult his colleagues of the Cabinet *de facto*. On the 25th, he saw the Prince again, and informed him that he had determined, should the necessity arise, to propose a restricted regency, precisely similar to that which he proposed in 1788; and that, in this view of his duty, he was supported by all the Cabinet, including the Duke of Portland, Lord Loughborough, and Earl Spencer, who, on the former occasion, had differed from him on this point. He reminded the Prince, that the sense of Parliament had been clearly expressed in favour of restriction; and, that His Royal Highness, with every one concerned, would do well to assent to it. The Prince gave utterance to some expressions of discontent,

Ch. 41. 1801

but he knew that it was vain to resist. If Parliament had consented to restrictions in 1788, it is pretty certain, that, with the experience which had been acquired in the last twelve years, of the character of the person who was destined to exercise the power of the Crown, both Parliament and the country would be all but unanimous in providing such safeguards as were practicable against its abuse.[z]

The opinion of Dr. Willis.

The two Prime Ministers—the minister in fact, and the minister elect—were in constant communication on this difficult state of affairs. It was the opinion of the Willises, that the King's illness was different from the illness of 1788, and that his recovery was probable. With this view, it was of course desired to postpone a Regency Bill until

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[z] It is remarkable that, even on this occasion, the Prince of Wales could not conduct himself with common decency. No man of any feeling, and few men with any regard to outward appearances, would care to appear in public, while a father was lying bereft of reason on a bed of sickness. But the Prince of Wales, whom base adulation described as 'the finest gentleman in Europe,' was seen at this time in public places oftener than usual. Lord Malmesbury mentions his being present at a concert on the Sunday after the King was taken ill, at the notorious Lady Hamilton's, and accosting Calonne, the 'rascally' French minister, in these terms, '*Savez-vous M. de Calonne, que mon père est aussi fou que jamais.*' This would seem hardly credible, even when told of this Prince; but the anecdote is corroborated by Lady Harcourt, who relates it thus, 'The Prince had been visiting Lady Hamilton, when, meeting M. de Calonne, who asked him how the King did, he answered, '*Plus fou que jamais.*'—MSS.

the latest possible period. That period was fixed by Pitt for the 12th of March, as the public service would not admit of a longer delay. Parliament, in the meantime, was content to leave the matter in the hands of Pitt, who, under this sudden and unforeseen change of circumstances, was regarded as the real Minister. Men of sense were agreed that to set aside a statesman of supreme ability and long experience at such a juncture as this, and to supply his place with a political nonentity, was the height of folly; and some were of opinion that it was a case for the intervention of the House of Commons.[a] Addington's position at this time was, indeed, somewhat ridiculous. He had vacated the Chair, and Sir John Mitford, the Attorney General, had become his successor. He had taken the Chiltern Hundreds, leaving Mr. Pitt as Chancellor of the Exchequer, to bring forward the Budget. On the 27th of February, when the King's malady had wholly incapacitated him, Addington was returned to the House of Commons and took his seat on the Treasury bench, while Pitt, from a back bench, directed as usual the proceedings of the House, allayed the public anxiety about the state of the King's health, and assured

[a] 'Sir Robert Peel told me, he had been urged by many independent men to state to the House of Commons the necessity of Mr. Pitt remaining in a responsible situation, and not abandoning the country. He referred plainly to the total want of confidence in Mr. Addington, and stated that to be general in and out of Parliament.'—ROSE'S *Diary*.

Ch. 41. — 1801

the House that before any public business of importance was transacted, the state of his Majesty's health should be ascertained.

The King's enquiries.

On the 1st and 2nd of March, the King's life was in imminent danger. On the 3rd, his bodily ailment yielded to the strong remedies which had been applied. On the 6th, his pulse, which had been at fever-heat, subsided; he talked rationally, asked how long he had been ill, and expressed anxiety lest the public business should have been interrupted by his illness. He enquired about the state of the Ministry, and was satisfied when he learned that Pitt, not having given up the seals of office, had continued at the head of affairs. He was very particular in his enquiries as to any allusions to his illness that had been made in Parliament. Willis told him exactly what had passed. 'One member alone moved an enquiry into the state of your Majesty's health; and Sheridan, in the handsomest manner, got up and spoke against it, and in the highest terms of your Majesty.' On which the King said, 'It is very odd, but ever since that attack of Hadfield's in the play-house, Sheridan has shewn a personal attention to me.' He then asked who made the motion, and when he was told Mr. Nicholls, and that it was universally reprobated, he only observed 'that he was always an odd man.'[b] From this time the King made gradual, though irregular progress,

[b] Lady HARCOURT's *Diary*, MSS.

towards recovery. On the same day that he held the conversation above referred to, being the 6th of March, he desired Willis to communicate the fact of his convalescence to Mr. Addington, to Lord Eldon, and to Mr. Pitt. With respect to Pitt, he added these words, which appear to have been duly reported to his late Minister, 'Tell him I am now quite well—quite recovered from my illness; but what has *he* not to answer for, who is the cause of my having been ill at all?'[c] It appears, that, in consequence of this message, Mr. Pitt caused it to be intimated to his Majesty that he would never, during the King's life, bring forward the Catholic question. The retiring Minister made a similar announcement to his friends; upon which the question naturally suggested itself, why should he retire at all, when the only obstacle to his remaining in office, was thus, by his own act, wholly removed? Pitt himself seems to have taken this view of his position, and even to have canvassed the mode of providing for Addington.[d] He could not, with decency, make a direct offer to remain in office; but he spoke of the matter without reserve among his friends, who took measures, with his tacit concurrence, to bring about a result so much to be desired. If Pitt could not move in the matter, it was still less to be expected that the King should put such an

Ch. 41. 1801

[c] Earl STANHOPE's *Life of Pitt*, vol. iii. p. 303.

[d] ROSE's *Diary*, 6th March.

Ch. 41. — 1801

affront on the man whom he had summoned from an office of dignity and security, as to reinstate his former Minister merely because he had postponed a measure of the first importance, rather than press it from deference to his Majesty's will. It was obvious that Addington, and Addington alone, could solve the difficulty. A proposal was accordingly made to the expectant Minister, that he should withdraw his pretensions in favour of the Minister who was not yet out of office, of whom he never pretended to be the rival, and of whom he could hardly fail to consider himself, as every body else considered him, the temporary substitute. But Addington was not prepared for the disappointment of his hopes, when, after an interval of painful suspense, they were on the point of being fulfilled. He listened coldly to the proposal of the half-accredited deputation which had waited on him. He said, that it had not been his wish to quit his former situation; that the late Minister had declared his irrevocable determination to resign, and had advised his accepting the government, as the only thing that could stand between the crown and ruin. Finally, he referred them to the King, warning them, at the same time, of the effect which their proposal might have on his Majesty's health.[e] This answer was, of course, conclusive; and Pitt, seeing that the matter could not with propriety be carried any

[e] PELLEW's *Life of Lord Sidmouth*, quoting Mr. ABBOT's *Diary*.

further, desired that it might be dropped. He immediately announced his intention of supporting the new Ministry, and his expectation that his friends would follow his example.

Pitt's conduct throughout this transaction is open to grave observation. His readiness in March to make the most ample concession to the King's prejudice, or infirmity, upon a point to which, in February, he attached paramount importance, is not explained by any disclosures which have yet seen the light. Nothing had happened in this short interval to justify so great a change in Mr. Pitt's conduct. The King's illness was a circumstance wholly irrelevant. In February, when the King was well, Mr. Pitt announced his deliberate determination to resign, unless he was permitted to bring forward the Catholic question, with His Majesty's 'full concurrence, and with the whole weight of Government.'[f] He did resign, in consequence of this permission having been withheld; his successor was named; and the new Cabinet was in the course of formation, when the King fell ill. But, in three weeks the King was well again—as well, at least, so far as his mind was affected, as he had been in February, or, at any time since 1789. Yet Mr. Pitt was now ready to give up absolutely, and for ever, the Catholic question; and proposed to annul arrangements which had been made in

[f] Letter to the King, 31st January.

Ch. 41. — 1801

consequence of his own act, and with his entire approval. The grave considerations which, at this juncture, would have caused a prudent and patriotic Minister to pause before he stirred a question calculated to endanger the stability of his Government still existed, but had not become more urgent. On the other hand, nothing had happened to diminish the force of the Catholic claims. What was Pitt's position with regard to the Catholic question? It has already been shown, on undisputed proof, that, in the autumn of 1799, the Irish Minister was authorised to '*solicit* every support the Catholics could afford, to the great measure of the Legislative Union; that the Cabinet was favourable to these pretensions; and, that, if no assurance was distinctly given them, in the event of the Union being accomplished, of these objects being submitted with the countenance of the Government to the United Parliament,' it was only from the consideration, that a positive pledge might offend the Protestants, that a positive pledge was withheld.[g] Yet Mr. Pitt seems to have been of opinion, that this engagement, of which he had received the full benefit, was satisfied, so far as he was concerned, by the formal resignation of his office when the King refused to sanction the promised measure; and that he was at liberty to resume office the next day, with or without his colleagues, and upon a positive pledge, to renounce the policy which he

[g] Lord Castlereagh's letter to Mr. Pitt, 1st January, 1800.

had, only a few short weeks before, declared to his Sovereign, to be dictated by 'his unalterable sense of public duty.'[h] If such conduct as this is to be justified, on the ground that Mr. Pitt was under no express compact with the Catholics, I know not what species of engagement is binding upon public men. A minister cannot make a contract like a broker; and his performance should be judged with candour and liberality. But when he seeks to avail himself of a colourable pretext, to get rid of an obligation, of which all the benefit has been received, and the burden only remains, it is difficult to understand how his conduct can be reconciled with morality and good faith. Had Pitt adhered to his resignation, he might, at some future period, have resumed office unembarrassed by the Catholic question. He had not undertaken to bring forward the question at any particular time. The Catholics were not impatient. Relying on the sincerity of their powerful friend, to whose word they had given implicit confidence, they left it to him to choose the opportunity, the means, and even the terms, of their emancipation. If it had been found in 1804, that the difficulty which had disappointed their hopes in 1801, was still in existence, and undiminished; that the attempt to advance their claims at that time, would cause a Regency, if not a demise of the Crown; that the country had

[h] Letter to the King, February 3rd.—Earl STANHOPE's *Life of Pitt*, App. xxx.

Ch. 41. 1801

become decidedly adverse to them; in a word, that no minister, however powerful, could hope to urge the question forward with a chance of success; the Catholics were not so perverse as to expect that their friends should stay out, and that their enemies should be kept in, by a useless perseverance in an untimely policy. Whatever might have been the prospects of the Catholic Question in 1801, if the King had not interposed an obstacle, it is certain that it could not have been carried in 1804; and, therefore, Pitt might have returned to office in that year, absolved from the engagement which had attached to his former Administration. But, to break up a Government in February, because Catholic Emancipation was indispensable, and to offer to reconstruct it in March, on the principle of Catholic exclusion, was to trifle with the King, to trifle with public men, and to trifle with a great question.

Addington Premier.

Addington, then, having declined to be made a Minister one day and to be unmade the next at the caprice of Mr. Pitt, it only remained that the new arrangements should be formally completed. On the 14th of March, a council was held, at which Mr. Pitt resigned the seals of office, and they were delivered by his Majesty to Mr. Addington, who thus became First Lord of the Treasury, and Chancellor of the Exchequer. Lord Hawkesbury succeeded Lord Grenville at the Foreign Office. Lord Hobart was appointed to the War Department in the room of Windham. Lord Lewisham

replaced Dundas at the India Board, Earl St. Vincent succeeded Earl Spencer at the Admiralty. The Duke of Portland, Lord Chatham, and Lord Westmorland remained in office. Lord Eldon was Chancellor. Loughborough's fate is remarkable enough to point a moral. The last thing which this deep politician could have anticipated as the result of his own intrigues, was his own exclusion from office. He thought he had certainly made the King his friend for life by betraying the counsels of his colleagues, and by making himself the tool of a prejudice which he despised alike for its honesty and its folly. When he found that he was not consulted in the new arrangements, he had the assurance to write to the King, urging him to continue Pitt in office, and 'to rely upon the generosity of Mr. Pitt's mind.' When the Regency was imminent, Loughborough hurried off to Fox, with whom he had long ceased to have any but casual communication. In any event, therefore, he had made provision for his own safety. The manner of his dismissal was mortifying in the extreme. Addington informed him, that the arrangements which he proposed to make with reference to the legal appointments rendered it necessary that his lordship should give up the Great Seal. To be dismissed by Addington was humiliation enough. But to be told that his services were not required in a Cabinet which contained no man of half his ability, was a significant intimation that, in the opinion of the respect-

Ch. 41. — 1801

able gentlemen who constituted his Majesty's Government, no attainments and no experience in affairs could compensate for the want of honesty and plain dealing. But Loughborough was not content until he had drained the last drop in the cup of degradation. The Seal had been taken away from him; but he had not been turned out of the Cabinet. He continued, therefore, to attend the meetings of the Cabinet, until he received a letter from Addington, reminding him that he was not one of his Majesty's confidential advisers, and that his presence at a Cabinet Council, already sufficiently large, was not desired.[i] It is said, that Addington had intended, at one time, to make Loughborough President of the Council; but if such an intention was ever entertained, it was soon abandoned. At length, his banishment was alleviated by an earldom; but this dignity was not accepted as an adequate compensation for the power and emoluments of office. Auckland, also, kindred to Loughborough in ambition and intrigue, but greatly his inferior in ability, was doomed to disappointment. Auckland, according to a contemporary statesman, who was not in rivalship with any pretender to power, had named *himself* as Minister.[k] There was a deeper shade in the treachery of Lord Auckland, than in that of the Earl of Rosslyn. Auckland owed everything

[i] CAMPBELL'S *Lives of the Chancellors*, vol. vi. p. 327.

[k] Lord MALMESBURY'S *Diary*, vol. iv.

to the patronage of Pitt; his employments, his pensions, his peerage. He was the intimate friend of the great Minister, who had admitted him to a confidence without reserve. If there was one man who should have blindly followed the fortunes of Pitt, Auckland was that man. Yet Auckland conspired with Loughborough to betray his friend and patron. And when the resignation of the late Ministry, which had been mainly caused by the intrigues of their professed friends, became the subject of discussion, Auckland was one of the first to stand up in his place in Parliament, and to attribute that resignation to some secret and unworthy motive.[1] It is satisfactory to record that this baseness was not rewarded. Lord Auckland had sought, by covert intrigues, and by open slander, to ruin his benefactor, because he had been refused promotion to the Cabinet. This promotion was still denied him. He had held the lucrative office of joint Postmaster-General under Pitt's Administration; and he was permitted, by the contemptuous neglect of the new Minister, to retain his office.

Lord Cornwallis resigned the Irish Viceroyalty,[m] Resignation of Cornwallis.

[1] On this occasion, Rose wrote Lord Auckland a letter which, if he was susceptible of shame or compunction, must have wrung his soul.—See the letter in Lord STANHOPE'S *Life of Pitt*, vol. iii. p. 326. Lord Stanhope adds, 'Pitt himself viewed the affair in nearly the same light. He was too proud to make any complaint. But he broke off all intercourse with Lord Auckland; and, as I believe, never again exchanged a word with him.'

[m] 'No consideration could induce me to take a responsible part with any administration which can be so blind to the interest

Ch. 41. — 1801

and was succeeded by the Earl of Hardwicke. Lord Castlereagh also retired. The new Secretary was Mr. Abbot, one of the most uncompromising of the opponents of the Catholic claims. The minor political offices were filled by some two dozen gentlemen, none of whom were of any note. Two of these gentlemen, Mr. Spencer Perceval, the Solicitor-General, and Mr. Vansittart, one of the Joint Secretaries of the Treasury, afterwards attained distinction. Mr. Perceval was destined to prove, that Mr. Addington was not the weakest possible Minister. And Mr. Vansittart afterwards became the worst Chancellor of the Exchequer that had been known since Sir Francis Dashwood.[n]

Personal character of Addington.

Addington, personally, throughout these transactions, stands in favourable contrast, not only to such men as Loughborough and Auckland, but even to Pitt himself. He had been no party to the intrigues which had undermined the late Administration. He had no knowledge of them. He had given no insidious advice to his illustrious friend and patron. When he received the first letter from the King, on the 30th of January, he went immediately to Pitt, and urged him, with so much earnestness, to desist from pressing the

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and indeed to the immediate security, of their country, as to persevere in the old system of proscription and exclusion in Ireland.'—Lord Cornwallis to General Ross, 15th February, 1801. *Correspondence*, vol. iii. p. 337.

[n] See Supra, vol. i. p. 328.

Catholic Question, that he believed for the moment that he had prevailed. When he received His Majesty's commands on the following day, to form a new Administration, he desired, and, I am persuaded, with perfect sincerity, to be excused. But when it was put to him by the agitated monarch, 'Where am I turn, if you forsake me?' And when Pitt followed this up by saying—'I see nothing but ruin if you hesitate,' what was Addington to do? He might have obeyed the dictate of prudence, and persisted in his refusal. But an English gentleman is not accustomed to weigh personal considerations, when the line of duty is pointed out to him; and Addington might well be excused for thinking that he was not wholly unfit for an office which his Sovereign pressed upon him, and, which the statesman, who had held it for seventeen years, told him, he alone was competent to fill. It has been mentioned, indeed, by a contemporary statesman, whose accuracy, when he does not relate facts within his personal knowledge, is very doubtful, that Addington spoke of himself merely as a temporary substitute for Pitt. That he said something of the kind is not improbable, for he relied avowedly on Pitt's support, to enable him to carry on Government.[o] He acted on Pitt's advice as long as Pitt was willing to advise him; and he must have felt, that he could not hope to persevere, if Pitt's protection should be with-

Ch. 41. 1801

[o] Lord MALMESBURY's *Journal.*

Ch. 41. 1801

drawn. There can be no doubt that Pitt considered Addington more as his substitute than his successor. But that there was no understanding of the kind, either express or implied, between the outgoing and the incoming Minister, is manifest, from the conduct of Addington on the King's recovery, when he rejected a distinct overture from Pitt, to give way to him. Any such understanding, indeed, would have been highly discreditable to both parties.

Complaint of Pitt's friends.

The personal friends and followers of Pitt, the most prominent of whom were Rose and Canning, bitterly complained of the unbending pride, which would not permit their patron to tender the retraction of his resignation, when he caused it to be intimated to the King that he had abandoned the Catholic Question. But, what appeared inflexible pride to men eager for office, was little more than common decency. Mr. Pitt's intimation to the King, that the sole cause of his retirement was removed, in itself afforded His Majesty an opening to reinstate his former Minister had he been so disposed. A more direct tender of his services could hardly have been made. But George the Third was a gentleman, and would have been incapable of putting such an indignity on Addington, as was involved in the proposal, which seemed so easy to Mr. Canning. The King in his reign had played many times a double part with his Ministers; but those were Ministers which had been forced on him.

His Majesty had never deserted any man who had served him faithfully; nor was it likely that he would now, for the first time, cast aside a man, whose loyalty and fidelity had been interposed to shield his honour. If Pitt had offered to resume his office, without the full and hearty concurrence of Addington, the King could hardly have done otherwise than refuse his offer; and, a proceeding, so strange, so perplexing on the part of his late minister, would have been calculated cruelly to disturb a mind still dangerously excitable from recent disease.

Popular dissatisfaction with Pitt.

When they found that the appointment of Addington was inevitable, the clever men who followed the fortunes of Pitt, were fain to console themselves with the belief, that such a Minister could have but a short existence. Pitt himself seems to have partaken of this consolation. But Pitt and his friends were much mistaken, if they supposed that the country would demand their immediate restoration to power. The feeling prevalent abroad was not so much a feeling of impatience at the folly of the King in breaking up a powerful Administration, as of anger against the Minister for distracting the mind of the good old King, by attempting to force on him a measure so objectionable as Catholic Emancipation. The old English dread and dislike of the Papists began to revive; and there were many more who applauded George the Third, for his scrupulous regard to his Coronation-oath, than the friends of religious

Ch. 41. — 1801

equality. Moreover, the country gentlemen, who had submitted to Pitt for so many long years, were getting a little weary of their master. Oppressed by the weight of his genius and authority, they were sensible of relief in the accession of a Minister who was not exalted so far above their heads, and whose range of thought was not much more extensive than their own. The wits and fine gentlemen might laugh at the son of a country doctor sitting in the seat of the son of Chatham; but the wits and fine gentlemen were a small minority. The Tory squires and baronets who filled three-fourths of the House of Commons, found in Addington a minister after their own hearts.[q] He was a Minister whom they might venture to approach; who would listen to them—who would talk to them—who would not treat them as so many heads to be counted in the lobbies. A kindred feeling pervaded the bulk of the middle classes. The natural state of public opinion in this country is a dislike of change. Hence a demand for mediocrity, equal, but not superior, to the ordinary administration of affairs. Men of parts and education in vain contend against this prejudice by argument, invective, and ridicule, in every form. All their attacks are met by passive resistance. A plain man, who does not much outrun the average intelligence of the

[q] The King represented this feeling, when he addressed the new Minister the day after he had been sworn as '*his own Chancellor of the Exchequer*.'—Letter to Addington, 15th March. PELLEW'S *Life of Lord Sidmouth*, vol. i. p. 353.

country, will be the favoured Minister in ordinary times. A prudent man, who says as little as possible, who is no orator, and not a very good speaker, is the best leader of the House of Commons. Addington was rather below the standard of mediocrity; but he was more popular with the Tories than his predecessor had ever been. And the Tories comprised all the clergy, most of the gentry, and a large majority of the middle classes.

Addresses of Cornwallis to the Catholics.

On the resignation of Pitt and his colleagues, who had agreed with him in the expediency of an immediate measure for the removal of the remaining disabilities of the Roman Catholics, Lord Cornwallis had thought it right to make a communication to that body, with reference to the disappointment of the expectations they had been told to entertain. Accordingly, the Lord-Lieutenant drew up two papers; the one, embodying what he considered a fair representation of Mr. Pitt's sentiments on the subject; the other, framed upon his interpretation of the opinions and views held generally by the friends of the Catholic cause. The first and most important paper contained a distinct avowal, that the leading members of the late Administration had retired from office, because they found themselves unable to carry their policy in favour of the Catholics into effect; and were of opinion, that their retirement would be conducive to its ultimate success. The Catholics were assured that no opportunity would be

Ch. 41. 1801

neglected, and no effort would be spared by their friends who had quitted office, and by those who remained to advance their interests; and they were warned to give no advantage to their opponents by any want of patience, loyalty, and moderation. In the second paper, which contained only two paragraphs, the Catholics were more expressly enjoined to refrain from violent measures, and, above all, to form no connection with Jacobinical associations. In the second paragraph, it was implied that their friends would not return to office, except on the terms of concession to the Catholic claims. These minutes were communicated by Lord Cornwallis himself, or with his authority, in the first instance, to Lord Fingall and Dr. Troy, and by them circulated among the principal members of the Romanist party.

These papers, though not officially drawn, nor intended for publication, soon found their way into the newspapers on both sides of the Channel. Cornwallis maintained that they had produced the beneficial effect which had been intended; and that, with the exception of the last paragraph of the second paper, which implied an engagement on the part of the retiring Ministers not to return to office without making the Catholic claims a Cabinet question, that they committed no man farther than he had committed himself.[r] The statements of

[r] *Cornwallis Correspondence*, vol. iii. p. 345.

these half official minutes, with the exception referred to, were not disputed by Pitt or his colleagues; though their publication could hardly be very agreeable to a Minister who had thought proper gratuitously to renounce the policy which they so emphatically affirmed.

Grenville's defence of the late Ministry.

When the new Ministers had taken their seats, general attacks were made in both Houses on the conduct of the war, the policy of the late administration, and the composition of the new. Lord Grenville made a powerful defence of himself and his friends; while the Earl of Westmoreland was the appropriate mouthpiece in the Lords of a Cabinet of which Mr. Addington was the head. In the Commons, the defence of the old, and the apology for the new administration, were left to Dundas and Pitt, the Minister making only a few observations at the close of the debate. Pitt alluded, with a touch of feeling, seldom apparent in his public displays, to his disappointment at leaving office without having conducted the war to a satisfactory conclusion. 'Events,' he said, 'have happened which disappointed my warmest wishes, and frustrated the most favourite hopes of my heart; for I could have desired to pursue the objects of such hopes and wishes to the end of that struggle which I had worked for with anxiety and care.' But when he went on to speak of the new administration, the finer critics of the House thought they could detect the old manner—the keen irony and sarcasm with which they were so

Ch. 41. 1801

familiar,—in the high eulogistic strain which he affected. 'Are these gentlemen,' said he, 'called to a situation that is new to them? Are they new to the public?' None of their friends certainly had yet ventured to say that they were otherwise; but Pitt boldly maintained that ample experience of their principles and talents had already recommended them to the confidence of the House and the public. He singled out Lord Hawkesbury, compared him to Fox, and challenged the House to produce any man superior to him. After this, he had only mitigated praise to bestow on Lord Eldon and Lord St. Vincent, the only two men who could vindicate their pretensions to the offices which they filled. It is hardly to be supposed that, at this early stage, Pitt desired to hold up the new ministry to ridicule;[8] but it is difficult to believe that such an assembly as the House of Commons could listen with gravity when they were told that his successors were distinguished by their talents and their experience; and that Lord Hawkesbury was one of the first orators and statesmen in the country.

These things were said in the presence of Fox and Sheridan; but Pitt, having referred to Fox with questionable raillery as a 'new member' in

[8] 'Canning told me Pitt had made him promise *not to laugh* at the Speaker's appointment to the Treasury.'—Lord Malmesbury's *Diary*, vol. iv. p. 5. Canning seems to have taken this injunction in much the same sense as the people who were told by their orator not to use brick-bats and cabbage-stalks.

reference to his long absence from the House, Fox immediately rose. He admitted that no change in the counsels of the Government could be for the worse, and therefore the present administration must be an improvement on its predecessor; but he treated with ridicule, not less just than bitter, the absurd and hypocritical eulogies which Pitt had pronounced upon Addington and Hawkesbury. These personal topics, however, formed a very small part of Fox's speech, which was one of great power, and ranged over the whole field of political discussion. Pitt, according to his practice for the last ten years of denouncing everything at variance with the views of his Government as Jacobinical, a practice which had become wearisome and unmeaning—had described the declaration of the Northern Powers on the question of the rights of neutrals as Jacobinical. Fox was never more happy in vigorous and pointed language, than when he stigmatized a phrase which, under the authority of Pitt, had become the common cant of Toryism, the excuse for every arbitrary and coercive measure, and the argument against every measure of enlightened progress and constitutional freedom. The few words to which Addington gave utterance on this night were remarkable only for the formal renunciation which they expressed of any reference to the form of Government in France in any future negotiations with that country. In this respect the new administration shewed more sense than its predecessor, which always

Ch. 41. — 1801

hampered its attempts at a treaty by offensive and impertinent allusions to the domestic institutions of the rival power. The motion for a committee was rejected by a majority of nearly three to one.[t] The division was merely a trial of strength, and excited much interest, not only as being the first party-division after the change of administration, but the first division after the change in the composition of the House of Commons effected by the Legislative Union. The minority was unusually large; but was mainly swollen beyond its usual proportions by the votes of Irish members who were dissatisfied, or were obliged to simulate dissatisfaction, with the policy upon which the new administration had come into power.

Addington's parliamentary success.

This debate which concerned the past more than the present administration, having been concluded, and the Budget having been disposed of by his predecessor, Addington had no difficulty to encounter during the remainder of the Session; and the sudden turn of good fortune in the war, though in no wise attributable to him, nevertheless redounded to the credit of his administration. There was only one question of a novel and curious character which gave rise to some discussion, but to no serious difference of opinion. Lord Camelford, the proprietor of the borough of Old Sarum, a man who was hardly responsible for his actions, had, in a fit of caprice, returned Horne Tooke to fill a

[t] 291 to 105.

vacancy in one of the two seats for this borough. It was objected that a clerk in holy orders was ineligible; and a committee was appointed, on the motion of Lord Temple, to search for precedents. The report of the committee by no means sustained the objection. Up to the Restoration, the precedents were for exclusion on the plain ground that a clergyman might be elected to sit in Convocation; but when Convocation ceased to tax the body which they represented, and ceased, indeed, to sit for despatch of business, it seemed to have been assumed that the only ground of exclusion was removed, and that clerks in orders were not disqualified to serve in Parliament. In fact, several clergymen had sat in the House of Commons, and their competency had never been questioned.[u] The only case in modern times in which a member had been petitioned against on the ground of his being disqualified by holy orders was Mr. Rushworth, member for Newport, in the Isle of Wight. The committee which tried this petition sat in 1785, after the passing of the Grenville Act. They declared Mr. Rushworth duly elected; but their decision was of no value as a precedent, because it proceeded on an unsound distinction as regarded eligibility between the order of a deacon and the order of a priest. Nevertheless, it was proposed by Lord Temple, on the report of this committee, that a new writ

Ch. 41. 1801

[u] HATSELL, vol. iii. p. 16.

Ch. 41. — 1801

should be ordered in the room of Horne Tooke. The House, however, with a wholesome recollection of their encounter with Wilkes and the Middlesex electors, were not disposed 'to provoke a conflict with such antagonists as Lord Camelford[x] and Horne Tooke. Addington, with the assistance of Abbot, who was already designated as the successor to the chair, prepared a bill to remove doubts as to the eligibility of persons in holy orders to sit in Parliament, by declaring them disqualified. The bill passed without much opposition, a clause proposed by Horne Tooke to limit its operation to beneficed clergymen having been rejected by a large majority. Horne Tooke was in his sixty-fifth year when he entered the House of Commons. His first speech was listened to with eager curiosity; but the members who had thronged to hear him soon returned to the lobbies, the library, and Bellamy's. Few men, however gifted, succeed in the House of Commons who have not learned to adapt themselves to its tastes before their intellectual habits have been formed. Tooke had taken great pains to prepare himself for that fastidious and infallible audience. Looking round

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x He is said to have threatened that, in the event of Horne Tooke being disqualified, he would return his black footman. But he did not live to carry this purpose into execution. This is the sort of practical proof which hastens and ensures the reform of a long standing abuse. But the time was not yet come; and the close boroughs had hitherto refuted the reformers by returning some of the best members in the House.

the crowded benches, he probably had a thorough contempt for the great majority, and he saw no man of whom he was afraid. He had rallied Fox on the hustings at Covent Garden with great success. He had repeatedly attacked Pitt and Sheridan. He had on one occasion insulted the Speaker himself, and had afterwards bullied the Commons at their own bar until they were fain to give up the unequal contest.[y] Yet this man, whose coolness and effrontery were proverbial; who had seen the world on every side, a wit, a scholar, and a cynic, was seized with unknown tremors, when he stood on the floor of the House of Commons.[z] He recovered, however, his self-possession sufficiently to proceed with his speech. He gave a sketch of his life, and told the House how his hopes and prospects had been destroyed by the profession which he had rashly adopted in youth, and had renounced for thirty years. The tale was one which might have commanded the respectful sympathy even of those who would have refused to give relief. But the scoffing spirit in which he spoke conveyed the impression that he made his personal wrong a pretext for holding up the church, and even religion itself, to ridicule and scorn. He affected to treat the disqualification for other employments worked by holy orders,

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[y] Ante, vol. ii. p. 212.

[z] 'I hardly knew,' he said, 'whether I stood on my head or on my heels.'

Ch. 41. — 1801

as if they were a brand of infamy. 'Cannot a quarantine,' he said, 'of thirty years be a sufficient guard against the infection of my original character?' Sarcasm of this kind grated on the ear of the House. His disputatious temper, which delighted in levelling authority and in trampling on pretension, soon brought him into collision with the House, which suffers no man to overstep his position. He criticised the report of the Committee with the pedantry of a grammarian. He questioned the decision of the Speaker on a point of practice, and argued the matter at length in utter ignorance or contempt of the implicit deference which long usage has yielded to the decision of the Chair. He was called to order for violating another well established rule, which forbids any member attributing motives to another. This point he disputed likewise, seeking to prove that the rule of the House was inconsistent with reason, and the freedom of debate. Any man who knows the House of Commons, which, in its essential characteristics, was the same assembly fifty or a hundred years ago as that which now sits at Westminster, will easily understand that Horne Tooke was soon set down as an outlaw, a failure and a bore. It would be difficult to produce any good reason why a clergyman, without cure of souls, should not sit in the House of Commons; nor indeed was any reason, founded either on principle or expediency, urged in favour of the bill. Nevertheless, it passed with only an ineffectual and somewhat

faint opposition from the Whigs. The Lords make no objection to clergymen sitting as lay peers, nevertheless they agreed to the Bill excluding clergymen from the House of Commons with hardly a dissentient voice. The Bill, as originally drawn, was retrospective in its operation, its primary object being to expel one obnoxious member, but it was impossible to defend such legislation, and, when it was pointed out that such would be the effect of the enactment, Addington agreed that the Bill should be framed in the usual manner.

Proceedings of the Ministry.

The new Ministry made a laudable attempt to return to the old laws of England, from which their predecessors had been so willing to depart. They suffered the Act for the suspension of the Habeas Corpus to expire; and, during some weeks, the people of this country were once more under the protection of the great law of English liberty. Many persons, detained under the arbitrary powers of the Suspension Act, were liberated on their own recognizances. But this good disposition was soon checked, and gave place to a fury against freedom of speech and action, such as had not been equalled when the emissaries of the Rule of Terror had been busy in London and the great towns. Committees of both Houses, listening with credulous ears to stories of plots and conspiracies, which sprang from the dregs of the Irish rebellion, and the expiring throes of the old Corresponding Society, reported in favour of a further suspension of the Habeas, and of a renewal

Ch. 41. 1801

of the Act for the prevention of seditious meetings. The country was at this time in a state of profound tranquillity; the Bread Riots of the preceding year, which had alone disturbed the public peace, and which had been mainly instigated by the judges, having entirely subsided. Nevertheless, the report of the Committee was immediately followed by the presentation of a Bill for taking away once more the writ of Habeas; and, as if England must perish if the liberty of the subject was endured for a moment longer, the Bill was, with shameful precipitation, hurried through all its stages in a single sitting. The Bill for the prevention of seditious meetings, was not suffered to pass with quite so much expedition; but it was forced through in a few days. An Indemnity Bill, for the protection of persons who had been concerned in the practice of arbitrary imprisonment since 1793, was, for the first time, brought forward. No practical necessity was urged in support of this measure. It did not appear, that any agent of the Government had been sued for false imprisonment since 1793; nor was any reason shown, why a man should be protected from punishment who had wantonly or maliciously abused the license of those times. But the arguments and protests of opposition were of no avail; and rather seemed to increase the majorities by which every measure for the curtailment of liberty and the repression of opinion was sanctioned. One of the earliest acts of legislation which the United

Parliament gave to Ireland, was an act for the renewal of martial law, although there was no pretext for saying that the rebellion had not ceased; there being in fact only three or four districts in a state of disturbance. But the Irish representatives—if they were to be called representatives—were unanimous for arbitrary government. It was in the debates on this Bill, that Mr. John Claudius Beresford, in the Commons, and the Chancellor Clare, in the Lords, avowed and defended the practice of torture.[a] Ch. 41. 1800

While Parliament was employed in this manner, and while gloomy apprehensions for the fate of this country, both at home and abroad, were spreading widely through all classes, the cloud which threatened the maritime power of England was suddenly dispersed; and, at the same time, an unexpected military success in an opposite quarter, restored the faded lustre of her arms.

Affairs of Egypt.

After Bonaparte's departure from Egypt in 1799, the army which he had abandoned fell into rapid decay. Reduced to half its original strength, hopeless of reinforcement—without money—without supplies, and daily diminishing from disease and want—the proud army of Italy, whose fierce onslaught had so easily crushed the barbarous chivalry of the Desert a few short months before, was now beset by new and formidable enemies. Besides the Mamelukes, who, though always

[a] Ante pp. 379 and 380. Notes.

Ch. 41. — 1800

beaten, and apparently annihilated, still swarmed around the French columns, a well disciplined force of eighty thousand Turks, under the Grand Vizier, was on its march. A Russian contingent of five or six thousand men was expected to follow. To meet these armaments, the invaders had only eight thousand five hundred men. Such was the report which the French General sent to his Government. The ship containing his despatches was taken by the British cruisers; and the King's Government, acting immediately on the information thus obtained, issued orders to Lord Keith, to consent to no Convention, which did not stipulate for the surrender of the French army as prisoners of war. These orders were sent from London on the 17th of December. Meanwhile, Sir Sidney Smith, who was guarding the entrance of the Nile with a single ship, knowing that the French army was in a desperate state, but not being informed of all which was known in London on that subject, foresaw the probability that the French General might be disposed to treat. Accordingly, with a promptitude which did him credit, Smith forbade the Turkish commander to enter into a separate negotiation with the enemy; but desired, that any proposition which Kleber might make, should be submitted to himself and the representatives of Russia, in conjunction with the Grand Vizier. The British captain had no authority to treat beyond the power of making a military convention, which was incident to his position as

commanding officer on the station. Nor did he formally become a party to the Treaty which was concluded on this 21st of December, between the French General and the representative of the Porte. But the Treaty was negotiated on board Sir Sidney Smith's ship, and was understood by both the contracting Powers, to have been concluded with the sanction of the representative of Great Britain. The eleventh and twelfth articles of the Treaty, indeed, expressly stipulated, that safe conducts and passports should be provided for the French army, not only by the Porte, but by its Allies—Great Britain and Russia; and that its safe return to France should not be disturbed in any manner. It is clear, therefore, that this was a Convention to which the honour of England was pledged as much as that of Turkey.

Treaty of El Arish.

The Treaty of El Arish, as it was called, was signed on the 24th of January. A few days afterwards, Sir Sidney Smith received a despatch from Lord Keith, transmitting the orders of the Cabinet of the 17th of December. This unpleasant intelligence was immediately communicated to the French General. Kleber was indignant, and not without cause. The high-spirited Frenchman published Lord Keith's despatch in general orders, accompanied by this comment:—'Soldiers,—The only answer to such insolence is victory. Prepare for battle.' Kleber soon justified this magnanimous vaunt. On the 20th of March, he routed and dispersed the army of the Vizier, eighty

Ch. 41. — 1800

thousand strong, at Heliopolis. After some days a body of twelve thousand men, a remnant of the great Turkish army, was rallied at Damietta, but was again defeated. Kleber then marched to Cairo, whither a portion of the fugitive army of the Vizier had retreated after the battle of Heliopolis, and by false accounts of the battle, had persuaded the people to rise and massacre the French. Cairo was taken after a desperate and sanguinary struggle; and before the end of April, the French were once more in possession of the whole of Egypt.

The British Government, when informed of the Convention of El Arish, sent orders to Lord Keith to permit the French army to embark, in pursuance of the Treaty concluded with the sanction of Sir Sidney Smith. This decision was communicated by the Admiral to the French Minister in Egypt on the 25th of April. But the position of the French army was very different at that date to what it had been when the Convention of El Arish was signed; and the offer of the British Government was peremptorily rejected.

The conduct of England in this transaction was censured by the enemy as a breach of faith; while the British commander was blamed by his Government alike for exceeding his authority, and for the discretion which he exercised in pursuance of the authority which he assumed. But the first-mentioned charge is disposed of by a reference to dates. The despatch, forbidding Lord Keith to enter into any treaty with the French except on the

footing of the surrender of their army as prisoners of war, was sent from London four days before the negotiation with Kleber was opened on board Sir Sidney Smith's ship. On receiving information of the Convention of El Arish, Lord Keith lost no time in making Kleber acquainted with the orders of his Government. It is true, that when Keith wrote that letter, another arrangement had been made, with the concurrence of the officer representing the British flag. But he knew also, that Smith had no authority to conclude a treaty of such importance; and that he himself had no such authority while Lord Elgin, the British plenipotentiary, was resident at Constantinople. Besides, his orders were positive; and though they were issued before it was known that the Turks had actually treated with the French, yet, they had been issued in full contemplation of such an event.

Sir Sidney Smith, on the other hand, was unjustly blamed by his Government and by his country. It is easy to say, that he should not have taken upon himself to sanction such favourable terms of capitulation without referring to his superior officer, or to the Ambassador at the Porte. But Sir Sidney thought that the evacuation of Egypt by the French was in itself the object of first importance; the communication with Constantinople or Gibraltar was tedious, and the golden opportunity might be lost before definite instructions could be obtained. If the hero

Ch. 41. 1800

of Acre had known all that the Ministers in London knew, he would not have consented to let the French depart on such easy conditions; and if the English Cabinet had not been possessed of the information which they obtained from the intercepted despatches of the French general, they would have applauded Sir Sidney Smith for the exercise of a prompt and wise discretion. As the event turned out, the captain of the Tiger had formed a better judgment of the policy which the situation required than the Ministers in London.

Position of the French.

The French, though elated by the great victory of Heliopolis, which relieved them from any fear of farther molestation on the side of Turkey, were, nevertheless, in a precarious condition. Cut off from all communication with Europe, and from all means of retreat, and surrounded on all sides by the vigilant and implacable hostility of the people whom they had so wantonly invaded and ruthlessly conquered, the remnant of the French army could not hope to hold the country for any lengthened period. Their recent military successes had indeed brought over some of the native chiefs, but no dependence was to be placed on such allies. The loss of General Kleber, who fell by the hand of an assassin, a few weeks after the re-occupation of Cairo, was irreparable. Kleber was one of the ablest of the many able men whom the revolution had produced. A soldier, a statesman, and an observer of mankind, he was also a humane and honourable man. His commanding

intellect and high moral qualities had gained an influence and an ascendancy over the wild people of the East, which Bonaparte himself had never attained. Menou, who succeeded Kleber, in command, was an officer of inferior capacity. He was a man of noble birth, and had obtained employment, and perhaps saved his life by flattering the vilest excesses of the revolution. When he joined the army of Egypt, he hastened to incur the contempt of the Mussulmans, and of all that was decent in the French army, by the gross artifice of assuming the turban. The departure of Dessaix, who had promptly availed himself of the convention of El Arish to leave Egypt, had left this man second in command.

British Expedition to Egypt.

After they had refused to renew the convention of El Arish, the French were for many months left unmolested. Late in the autumn, it was determined by the English Cabinet that an attempt should be made to dislodge them. The troops, under the command of Sir Ralph Abercromby, which had been tossing idly in the Mediterranean all the summer, were destined to this service. The earlier fortunes of this expedition had been singularly perverse; and no army sent from England since the war began had met with such signal and discreditable failures, as the army which was ultimately to redeem the military credit of the nation. At the beginning of the year a plan had been proposed to the Government by Sir Charles Stuart, with the

Ch. 41. — 1800

approval of Lord Cornwallis, to co-operate with the Austrians in Italy by sending a force of twenty thousand men to intercept the communication between France and Italy by way of the Maritime Alps, and to afford a basis for an insurrection of the Royalists in the South, upon which the Government were advised to rely; but the execution of this plan was delayed until it became impracticable, in consequence of the rapid advance of the French army. Stuart, who had been appointed to lead the expedition, resigned in disgust when his plan was frustrated; but a well-appointed army of twenty thousand men having been collected, it was determined that an attempt should still be made to co-operate with the Austrians in staying the farther progress of the French in Italy. Accordingly Sir Ralph Abercromby was summoned from Scotland to take the command of this force; and on the 3rd of July, three weeks after the battle of Marengo, and the armistice of Alessandria, by which the Austrians had ceded their Italian provinces, the British transports appeared off Leghorn. The fleet consequently returned to Minorca, where the troops were relanded to await farther orders from England.

After a delay of several weeks, an expedition, consisting of fifteen thousand men, under Sir James Pulteney, was sent from England to co-operate with Abercromby. Pulteney was ordered to make an attack on the Spanish port of Ferrol, on the coast of Gallicia. The order to attack Ferrol

seems to have been issued in utter ignorance of the place; and it was executed in a manner which brought ridicule on the army, or rather on those who directed its movements. Eleven thousand men were landed without opposition; and, after a slight resistance, took possession of the heights which commanded the town. The general, however, with the concurrence of his principal officers, except the chief engineer, who was of a different opinion, decided that the place, though not strongly fortified, could not be taken by assault; and, as no preparations had been made for a siege, the troops were sent back to their ships, and the project was abandoned. The expedition to the Spanish coast was intended to effect a diversion for the protection of Portugal, which was threatened by Spain; and likewise to prevent the Spanish fleet in the harbour of Ferrol from co-operating with the Northern Confederation. Mr. Pitt asserted, that the information upon which the Government had acted had been satisfactory, both to Lord St. Vincent and to the general in command.[b] But the information, which satisfied Lord St. Vincent and Sir James Pulteney, must have been strangely deficient; for it did not comprise any plan of the works, or any account of the force available for the defence. When the general ascended the hill, it seems that he discovered, for the first time, that Ferrol was defended on three sides by the sea, and

[b] *Parl. Hist.*, vol. 35. p. 990.

Ch. 41. 1800

that the land defences, extending for more than a mile, consisted of masonry with seven bastions, and other works of the best construction.

After this failure, the expedition was ordered to Cadiz, where it was intended to renew the experiments which had been abandoned at Ferrol. The attempt on Cadiz was a more signal failure than the attempt on Ferrol. On this occasion, Sir Ralph Abercromby, having been joined by Pulteney's force, took the command of an army consisting of twenty thousand men. Abercromby's orders were to land and destroy the arsenal of Cadiz, if he could keep open his communication with the great fleet under the command of Lord Keith, which was to supply his army with provisions and stores. But the anchorage was found to be unsafe; the harbour had been blocked up with sunken ships in anticipation of the attack, and it was ascertained that the communication with the shore was extremely hazardous when the wind was in the south-west. The wind was then blowing from that quarter. Nevertheless, an attempt was made to disembark a detachment on the 6th of October. But this attempt was frustrated by the mismanagement of Lord Keith, the admiral in command of the fleet.[c] Boats were required for five thousand men; and, after a delay of several hours, means of transport were provided for no more than three thousand. A force so small,

[c] *Life of Sir John Moore.* Letter to his father, vol. 1. p. 264.

if landed, would probably have been cut off before the main body could reach the shore. The landing was therefore postponed; and on the following day, upon a consideration of the unexpected difficulties which presented themselves, one of which was a pestilence then raging at Cadiz, it was determined to abandon the enterprize altogether.

The fortunes of these expeditions had been hitherto one unbroken series of shameful and ridiculous failures. Sir James Pulteney had been despatched in July with eight thousand men to attack Belleisle; but a glance at the place was sufficient, and the expedition sailed away. Ferrol, defended only by four thousand troops, was also considered too strong. Abercromby's force, which had been sent to the relief of Genoa, arrived just after the city had capitulated. The combined forces of Pulteney and Abercromby, accompanied by a fleet of twenty sail of the line and twenty-seven frigates, then summoned Cadiz; but Cadiz refused to surrender, and the great armament sailed away without striking a blow. For several weeks after this last inglorious attempt, the transports sailed about the Mediterranean without an object, and without orders. Sickness and discontent broke out among the men; and an army, which had been organized with great pains under the able direction of General Moore, was rapidly falling away.

After several weeks of this demoralizing inaction, orders arrived from England for the departure of the expedition to the coast of Egypt. After short

Ch. 41. — 1800

delays at Minorca and at Malta, to recruit the health of the men, who were debilitated by long confinement in their transports, twelve thousand troops, under Sir Ralph Abercromby, departed for Marmarice bay, a harbour on the shore of Asia Minor, where the final arrangements were to be made for the descent on Egypt. Five thousand men, under Pulteney, were left at Malta to keep open the communications.

Misinformation as to the French Army.

This expedition had been ordered on the same information which had led to the rupture of the convention of El Arish. It was believed in London, on the authority of Kleber's intercepted despatches, that the French army in Egypt was reduced to eight thousand men. But Kleber's despatch, written in September, 1799, did not represent the state of the French force in December, 1800; and greatly understated the numerical force of the French army at the time when it was written. It did not include Dessaix's division in Upper Egypt, nor the detachments posted at various points on the course of the Nile. The truth was, that the French general wrote, under the influence of indignant feelings, at the recent desertion of the army by Bonaparte, and was willing to put every thing in the worst aspect before the Directory. Six months after the date of the intercepted despatch, which described the remains of his army as perishing from disease and want, Kleber mustered twelve thousand French troops before Heliopolis. A few ships had indeed eluded the English squadrons, and thrown

some reinforcements into Alexandria; but these had probably been no more than sufficient to replace the losses occasioned by the usual casualties of service. When Abercromby landed in Egypt, instead of finding the skeleton of an army, he had to encounter a well appointed force of more than twenty-seven thousand men.

The Indian Government had been ordered to despatch a force from Bombay by the passage of the Red Sea, to support Abercromby; and the army of the Vizier was to cross from Syria, to co-operate with the British expedition. But it was uncertain when the reinforcement from India would arrive; and experience proved that a Turkish or Egyptian army, however numerous, could make no stand against the French. Abercromby, though well aware of the strength of the enemy, determined to land without waiting either for the Indian contingent, or the Turkish battalions. Accordingly, on the 2nd of March, the fleet anchored in Aboukir Bay, on the spot where Nelson's action had been fought. The state of the weather delayed the debarkation until the 8th. The enemy, therefore, had full time to prepare for the reception of the invaders. He was drawn up in force on the crest of a hill not far removed from the shore, his flanks covered with cavalry, and the Castle of Aboukir on his right. The first division, being the reserve under Moore and the brigade of Guards, was the first to disembark; so complete had been the arrangements, and so perfect

Ch. 41. — 1801

was the discipline of this noble corps, that though the approach to the shore, and the landing were effected under a heavy fire of shell, grape, and musketry, which the gunboats were unable to check, the men formed as soon as they left the boats and each regiment was immediately engaged with the French, who rushed down to the shore, scattering their skirmishers before them. Notwithstanding, the twenty-third and some portion of the fortieth regiment charged up the hill, a loose sandy precipice, drove the French from their position at the point of the bayonet, and took seven pieces of cannon. The remainder of the British force was thus enabled to land without molestation. The whole army then rapidly advanced, and after a sharp encounter with the enemy on the 12th of March, forced him to retreat under the fortified heights of Alexandria.

The decisive action took place on the 21st. Up to this time, the French, trusting to the strength of their position, and filled with an overweening confidence in the superiority of their military prowess, had not thought it worth while to oppose an equal force to the British army. Menou had left the expulsion of the invaders to his lieutenants; but he now took the command in person. Abercromby, also finding himself in front of a position of great strength, delayed an attack until he had gathered to his support all the force which he could command. He had been informed by a friendly native, that the enemy meant to sur-

prize him. Abercromby was too prudent to disregard this information, though he did not believe that the French general would be so rash as to quit a position almost impregnable to risk the chances of the field. But the warning proved to be well founded. The French general thought it advisable to act on the offensive, before the English army should be joined by the Turks and the reinforcement from India. Accordingly, an hour before daybreak, on the 21st of March, the attack was made. The British were already under arms; and, though it was still dark, they received the impetuous charge of the French with their usual firmness. By a daring movement, Menou succeeded in turning the right of the English position; but the English regiments wheeled about, and by unexpectedly fronting the enemy, frustrated an attempt, which, if successful, would probably have decided the fortune of the day. Menou then ordered a charge of cavalry; but the ground was unfavourable to the action of this force, and the attack utterly failed. The French infantry, however, maintained the conflict with desperate courage; the British squares were repeatedly broken by their impetuous assaults, and the battle raged for some time after the ammunition on both sides had been exhausted. At length, after fighting for seven hours, with the loss of nearly half his army, and without having gained a foot of ground, Menou ordered a retreat. The Turkish Government, having failed to provide

Ch. 41. — 1801

horses for the cavalry, the British were unable to complete the victory by a pursuit.[d] The loss of the French was computed at about four thousand, including four generals; that of the English, nearly fifteen hundred. Only one English general fell, but that general was the brave and devoted Abercromby. He received two severe wounds during the action, but refused to quit the field. After the battle was won, the heroic commander was carried, mortally hurt, to the flag-ship, where after lingering seven days in agony, he died. Other general officers, Moore, Hope, Oakes, and Lawson, were wounded, but not dangerously; as was Sir Sidney Smith, who had borne a conspicuous part on this glorious day.

The victory of Aboukir was, however, valuable for its moral effect, more than for any substantial advantage which had been gained by it. General Hutchinson, who succeeded to the command on the death of Abercromby, found himself in no condition to make an attack on Alexandria. Cairo also was in the possession of the French. But the British force was not inactive; and gained the advantage in several affairs of posts. The Turkish troops inspired with confidence by their Allies, harassed the French detachments; and the Grand Vizier actually defeated a division of eight thousand men. Hutchinson was reinforced by a thousand

[d] Sir John Moore's description of the battle in which he bore so prominent a part is to be found in his life, vol. i. p. 294.

men from England, and having effected a junction of a portion of his army with thirty thousand Turks, and Arabs under the Vizier, the siege of Cairo was formed. The place was capable of protracted resistance; but, after twenty days, terms of capitulation were offered and accepted. The French garrison of thirteen thousand men marched out, with their arms, artillery, and baggage. They were conducted to Aboukir, and from thence conveyed in English transports to the coast of France. These terms were censured as too favourable; but the English General, situated as he found himself, thought it desirable to get rid of so large a force, and to obtain possession of Cairo on any terms.

Convention of Cairo.

The Convention of Cairo took place in the last week of June. Early in August, Sir David Baird, arrived with the first detachment of Sepoys, after a toilsome march across the Desert. The remainder of the force, amounting in the whole to upwards of seven thousand, arrived soon after, but not in time to engage in active operations against the enemy. The fall of Cairo, the reinforcements which the British army had received, and the arrival of the Indian contingent, rendered it hopeless for the French to maintain their position in Egypt. On the 30th of August, after a short siege, Alexandria surrendered; and the garrison of eleven thousand four hundred men were suffered to depart on terms similar to those which had been granted to the French at Cairo. The ships in the harbour were, however, taken as prizes; half of

Ch. 41. 1801

them being given up to the Ottoman Porte, and half being retained by the British Admiral. All the monuments of antiquity and art which had been collected by the men of science who had accompanied the French army, were likewise detained. Many of these works were afterwards sent to England, and deposited in the British Museum.

Negotiations for peace accelerated.

It is to be observed, that this hard-fought campaign, in which the British arms were invariably successful, resulted in terms not more unfavourable to the enemy, than those which he had been willing to accept before a British regiment had landed in Egypt. The circumstances, perhaps, justified the Convention of Cairo; but, there can be little doubt that Alexandria, closely invested by sea and land, must have surrendered at discretion, or fallen before the besiegers, if the English commanders had been less indulgent. The expulsion of the French from Egypt was, nevertheless, an event of the greatest importance. It showed to all Europe, that England had not ceased to be a military power—it assured the integrity of the British Empire in India—it saved the Turkish Empire from becoming a dependency of France. Menou had stipulated for permission to send a despatch ship to Toulon on the evacuation of Egypt; and this intelligence accelerated the negotiations for peace, which had long been lingering in London, but which were thenceforth conducted in a very different spirit to that which had marked the Conferences at Paris and at Lisle.

A few days after the decisive battle before Alexandria, the Northern enemies of Great Britain, or, rather, the northern agents of that Great Power, whose enmity alone had ever been formidable to this country, sustained a signal and wholesome chastisement.

Subserviency of Russia to French interests.

The Confederacy of the Baltic Powers planned at Paris, and consummated at Petersburg, showed that the political capacity of Bonaparte was not inferior to his military genius. The only great Continental Power which he had not overawed, and whose arms had checked the career of French ambition, was Russia; and, from a menacing foe of the first rank, the policy of the First Consul had converted Russia into an ally, and a tool. Denmark and Sweden were gained through the agency of Russia; and thus a triple league had been formed, of the only Powers which could make a stand against the naval supremacy of England. It was necessary that a danger so imminent should be promptly met. It was not a question of international law, although the quarrel intended to be forced upon England assumed that form. The revival of the exploded policy of Catherine was merely a feint; yet the English Cabinet treated the Russian manifesto as if it were really a question of belligerent and neutral rights, which might be settled by negotiation. A fleet was, indeed, sent to the Northern Seas; but an Ambassador was sent before the fleet. And the Ministry had more confidence in the diplomacy of Mr. Vansittart, than

Ch. 41. — 1801

in Nelson and his broadsides. The Ministry, indeed, did all that well-meaning men could do, to thwart and frustrate the enterprise on which the maritime ascendancy of England was staked. The expedition was destined for Copenhagen, the stronghold of the Baltic Confederation. But Copenhagen, though defended by a powerful fleet, as well as by the difficulties of the navigation through which it was approached, was otherwise unprepared for defence. Promptitude, therefore, became an important element of success;—but, instead of promptitude, there was delay. At the moment, when this new and unexpected danger threatened the power and prosperity of Great Britain, the statesmen of Great Britain were engaged in a political crisis. The Ministry had been broken up—the King had been driven out of his mind about a domestic question, which, though one of great importance, was not, even in the opinion of the parties principally interested in it, a question of urgency. While the management of public affairs was in a state of abeyance, or, in a state of transition from the hands of Mr. Pitt and Lord Grenville, to the hands of Mr. Addington and Lord Hawkesbury, the British fleet lay in Yarmouth Roads waiting for orders. When at length the orders were made known, they filled all England with surprise and disappointment. It seemed incredible that there could be any hesitation in fixing on the man to command the expedition. Of the senior admirals, St. Vincent and

Duncan alone could prefer a claim to a command of this supreme importance. But St. Vincent was designated as the Chief Minister for Naval Affairs; and Duncan, having past his seventieth year, was understood to have retired from active service. Ch. 41. — 1801

These veteran officers being out of the question, Nelson's pretensions were without a rival. Nelson was indeed nearly at the bottom of the list of flag-officers; but he was foremost in the estimation of his country, and of his country's foes. He had seen more of active service than any officer of his rank, probably more than any officer in the navy. He had taken part in upwards of one hundred actions. His great qualities had been distinguished in numerous affairs. He had mainly contributed to the victory of St. Vincent. He had won the greatest battle of the eighteenth century. Yet Nelson was not thought worthy of the chief command of the Baltic fleet. To the astonishment of all men, Nelson of the Nile was appointed second to Sir Hyde Parker, a respectable officer, but quite unfit for the arduous task entrusted to him. And this was done with the consent, if not by the advice, of Lord St. Vincent, who had, when Nelson was untried in chief command, appointed him, over the heads of the senior officers on the station, to attack the French fleet. But Nelson was not in favour at Court. The King could not entrust the command of his fleets to a man who was a bad husband; and the Admiralty were not indisposed to humble an officer who was wanting in the first quality of

Ch. 41. 1801

deference to his official superiors. Nelson felt bitterly the slight which had been put upon him by placing over his head an old admiral who had no other claim than that of seniority. He said that this was probably the last service which he should render to his country; but this service he knew was one of extreme difficulty and danger; and therefore he did not hesitate to undertake it.

Sailing of the Fleet.

The fleet sailed from Yarmouth roads on the 12th of March. It consisted of fifty sail, including sixteen ships of the line, one of which, containing the ordnance and ammunition for the gun-boats, foundered and sunk off the coast of Norfolk. The rest of the fleet reached the Cattegat on the 18th; but instead of pressing forward to Copenhagen, as Nelson would have done, Admiral Parker anchored, and sent Captain Hammond in the Blanche to Copenhagen with instructions to Mr. Vansittart, the special envoy,[e] and Sir William Drummond, the resident minister, to present an ultimatum to the Danish Government. Vansittart, whose mission had wholly failed, in consequence of the Danes insisting, as a preliminary, on the removal of the embargo, immediately embarked with his

[e] Southey, who is not very accurate in dates and details, states that Vansittart accompanied the fleet from England, and was sent from the Cattegat in the Blanche frigate. The fact was, that Vansittart had left England in a packet-boat long before the squadron sailed; and the Blanche was sent to Copenhagen to fetch him and Drummond away. See Lord Bexley's own account.—*Life of Sidmouth*, vol. i. p. 370.

colleague, the ultimatum having been peremptorily rejected. Ch. 41. 1801

Meanwhile, the admiral pondered in his own mind the future course of operations, in the event of Mr. Vansittart's diplomacy being unsuccessful. Up to this time, Nelson had not been taken into the counsels of his chief, and knew no more than the youngest midshipman in his ship, what was intended to be done. The anchorage off Cronenburg Castle made him fret with scorn and impatience. He was of opinion that the negotiation should have been conducted in the presence of the fleet, and that 'the Dane should see our flag waving every moment he lifted up his head.' Such indeed was the construction which Nelson put upon the orders of the Admiralty;[f] but he was not consulted by Parker until the arrival of Vansittart's despatch announcing the determination of the Danish Government to resist, and the great preparations they had made, and were making, to defend Copenhagen. Nelson proposed alternative plans of attack; the one by the passage of the Sound; the other by the passage of the Belt; but he urged immediate action as of more importance than the choice of either. The admiral, determined by the advice of the pilots, sailed for the Belt; but, on the earnest remonstrance of Domett, the flag captain, who represented the danger of attempting

[f] Letter to Sir Hyde Parker, 24th March, 1801.—*Nelson Despatches*, vol. iv. p. 296.

Ch. 41. 1801

a channel so little known, the fleet returned to its anchorage. Nelson was sent for, and, as he entirely agreed with Domett, it was ultimately decided that the attempt should be made by the direct course, the passage of the Sound.

Frivolous punctilio of Sir H. Parker.

Ten precious days had now been wasted in doubts and deliberations; but twenty-four hours more were sacrificed to a frivolous and absurd punctilio. Not satisfied with the dismissal or return of Vansittart, whichever it might be called, from the Court of Copenhagen, Admiral Parker thought it necessary to send a flag to the Governor of Cronenburg Castle, to enquire if he had orders to fire upon the British fleet on their passage into the Sound? To this absurd question, the Dane replied that he could not suffer a fleet to pass his guns without being informed of its destination. This answer the British admiral treated as a declaration of war. On the 29th of March, therefore, the decisive movement was at length made; and the British fleet, led by Nelson, sailed into the narrow channel which the natural policy of the Danish Government has always interdicted to vessels of war. The English fleet expected to be swept by the batteries of Helsingburg, on the left side of the strait, as well as by the guns of Cronenburg on the right; but finding no offensive demonstrations made from the Swedish side, the fleet stood away towards the Swedish coast; and though the strait was only three miles wide, the ships were thus placed beyond the range of the

Danish guns. A discharge from upwards of a hundred pieces was wholly ineffectual. Not a ship was touched, nor a man hurt;—so weak was the ordnance of those days, when compared with the power of modern gunnery. The passage of the Sound having been safely effected, the fleet appeared within sight of Copenhagen, a distance of twenty miles, about noon. Nelson, leaving the fleet at anchor, went forward in a schooner with two or three of his captains, and some artillery-officers, to reconnoitre. It soon became manifest that the enemy had profited by the tardiness of the English commander to make formidable preparations for his defence. A flotilla of ships, gun-boats, and every other known vessel of war, together with several floating batteries, were ranged in front of the harbour and arsenal, in a line extending four miles. Immediately in advance of the line, was a sand bank called the Middle Ground. On the western flank, and in the rear of the Danish fleet, were formidable works erected on two artificial islands, guarding the mouth of the harbour, and called the Crown Batteries. Another tremendous battery, called the Trekroner, had been put in repair, and fully mounted, while the English fleet was lying at anchor off Cronenburg.

Ch. 41. 1801

An anxious Council of War was held on board the admiral's ship. Besides the formidable enterprize which lay before them, it was urged that the Swedish and Russian fleets remained to be en-

Council of War.

Ch. 41. countered. To all these representations, Nelson
1801 impatiently observed, 'The more numerous the better; I wish they were twice as many; the easier the victory, depend on it.' He understood and contemned the tactics of the Swedes and Russians; and had no doubt that the plan of attack which he had formed, in the event of his meeting the fleet of either of these nations, would be successful. 'Close with a Frenchman,' he said, 'but outmanœuvre a Russian.' He offered to attack the Danish fleet with ten sail of the line and small craft. Sir Hyde Parker, re-assured or overborne by the energy of his vice-admiral, accepted the offer, and gave him twelve ships of the line. The next two days were occupied in taking soundings and laying down buöys in the place of those which the Danes had removed. The wind being southerly, it was resolved to make the attack from the south, instead of from the east, as had been at first proposed. While Nelson was thus employed, it was arranged that Sir Hyde Parker should menace the Crown batteries, and the ships which lay at the entrance of the harbour.

At one o'clock in the morning of the 2nd of April, the signal to weigh was thrown out from Nelson's ship, and was hailed with reiterated shouts of joy through the division.

The night was passed in making detailed arrangements for the action on the following morning. Soon after nine o'clock, the leading ship weighed anchor. This was the Edgar, Captain Murray.

The next ship, the Agamemnon, grounded in the attempt to weather the shoal. The Edgar was thus for some time exposed alone to the enemy's fire. The Bellona and the Russell also went on shore at the entrance of the King's Channel. Thus, two of the twelve ships were unable to take up the stations assigned to them; and one was rendered useless. Only one of the gun boats could get into the channel. Captain Riou, of the Amazon, an officer of great ability, to whom Nelson had given a special discretionary command, took up his position opposite the Crown batteries, with two small frigates, two sloops, and two fire-ships. At ten o'clock, the action commenced, the British fleet having anchored in line of battle a cable's length from the Danish line. The enemy's fleet was inferior in strength and weight of metal to the British. But this inferiority was more than compensated by the addition of several floating batteries, and the cannon of the forts. After the battle had raged more than three hours with unabated violence, Sir Hyde Parker, who was prevented by the state of the wind and tide from giving any assistance to his vice-admiral, thought proper to signal an order for discontinuing the action. The admiral was of opinion, that Nelson's squadron must be destroyed by the fire to which it was exposed. 'I will make the signal,' he said to his flag-captain, who remonstrated against it. 'If Nelson is in a condition to continue the action he

Ch. 41. 1801

will disregard it; if he is not, it will be an excuse for his retreat.' The admiral did not consider that the signal was known to every ship engaged, as well as to the flag-ship; and that fatal confusion might be caused by the order of the Commander-in-Chief being partially obeyed. When the signal was reported to Nelson, he was pacing the deck in the full excitement of battle. 'This is warm work,' he said to one of his officers. 'And this day may be last of any of us in a moment;—but, mark you! I would not be elsewhere for thousands.' His answer to the admiral's signal was a simple acknowledgment, and an order to keep his own signal for close action flying. Fortunately, Admiral Graves misunderstood the signal of the Commander-in-Chief; and the other captains looked only to Nelson's ship. The order, however, saved Captain Riou's flotilla from destruction, although that brave commander himself lost his life. About an hour after the admiral's well-meant, but ill-judged signal had been thrown out, the fire slackened along the greater part of the Danish line; but, as the ships were continuously reinforced from the shore, every ship which was not disabled, continued to fight. It was said, that some ships which had struck, recommenced firing, after having been supplied with fresh crews. But there seems to be no ground for imputing an intentional violation of the usages of war to the brave Danes. Some of the English boats, however, which had been sent to take possession of the

prizes, were fired upon. Nelson, when informed of this fact, determined to take a step very unusual in such circumstances, and one which has been attributed by unfriendly critics, to motives, very different those which actuated him. He sent a flag of truce to the Crown Prince, with a letter, in the following terms:—'Vice-Admiral Lord Nelson has been commanded to spare Denmark, when she no longer resists. The line of defence which covered her shores has struck to the British flag; but, if the firing is continued on the part of Denmark, he must set on fire all the prizes that he has taken, without having the power of saving the men who have so nobly defended them. The brave Danes are the brothers, and should never be the enemies of the English.' The prince naturally desired to know the precise object of a communication, which, on the face of it, was not very intelligible. Nelson replied, that his object was humanity, and that he consented to a truce while the prisoners and the wounded were taken out of the prizes. He added, in highly conciliatory terms, his hope, that the truce might be the forerunner of peace and amity between the two Crowns. Sir Hyde Parker, to whom the Danish envoy was referred, agreed to a suspension of hostilities for twenty-four hours; during which all the prizes should be given up, and the wounded Danes who were unprovided with surgical aid in their ships, should be removed to the shore. Nelson took advantage of the truce, thus hastily concluded, to remove his shattered

Ch. 41. — 1801

fleet from the channel, and to effect a junction with Parker; an operation, which was not accomplished without great difficulty.

Nelson goes on shore.

Nelson himself, accompanied by two of his captains, went on shore, to negotiate an armistice with the Crown Prince. Neither party being in a condition to renew the conflict immediately, there was no question about the prolongation of the truce. The only difference was, as to the term of its duration. The Danes, under the apprehension of the displeasure of the Czar, proposed a short term; but Nelson, with the avowed object of attacking the Russian fleet, insisted on fourteen weeks. The Conferences had nearly broken off upon this point; but Nelson, declaring that he would bombard the city that very night, if his terms were not assented to, the negotiation was soon brought to a close. It was agreed that the armistice should continue for fourteen weeks, with fourteen days' notice of resumption of hostilities, and that during the armistice, the treaty of Armed Neutrality, so far as Denmark was concerned, should be suspended.

Nelson's letter to the Crown Prince.

Nelson's flag of truce had been dictated not less by sound policy than humanity. This great seaman, whose enthusiasm in action was always tempered by the prudence of a wise commander, was satisfied with an incomplete victory, if the object of the war could be gained without farther risk and bloodshed. At the time when he sent his celebrated letter to the Crown Prince, that

part of the Danish fleet which lay astern of Nelson's ship the Elephant, and consisting of one-third of their line, with the formidable Crown batteries in the rear, had not been materially injured. Most of Nelson's ships were crippled, and though Sir Hyde Parker was working up to his assistance, the Danes might still have hoped to turn the fortune of the day. Had a French fleet been before him, this consideration would not have influenced the English vice-admiral for a moment. In that case, he would have been satisfied with nothing short of the destruction of his antagonist—the implacable enemy of England, and the disturber of Europe. But the destruction of the Danish power was, as he truly said, no part of his orders. Denmark was in no sense an implacable foe. She was under duress of a power which was itself the tool and dupe of the universal military dictator. The Dane might have thought with reason that England asserted her maritime rights somewhat too broadly; but the particular question at issue between the two powers had already been referred to negotiation; and with friendly dispositions on either side, there could have been no difficulty in settling such a question as that of the immunity of Convoy by convention,[g] if it could not be determined upon the ascertained principles of public law.

[g] Nelson himself suggested, as a compromise, that no convoys should be granted to vessels bound to ports at war with this country.—*Correspondence*, vol. iv. p. 341.

Ch. 41. — 1801

The loss of the Danes in this battle, the hardest fought, as Nelson said, of the hundred battles in which he had been engaged, was nearly six thousand in killed, wounded, and prisoners. The English loss was under a thousand. The Danish admiral, with needless want of candour, attempted to excuse his defeat by misstating the relative strength of the opposing forces. Nelson replied to the official report of Commodore Fischer in terms of asperity which were unworthy of him; but Captain Lindholm, the Danish Adjutant-General, writing with the authority of the Crown Prince, made ample reparation. He fully admitted the defeat which the Danes had sustained; nor has Nelson's victory,[h] or his motive for sending a flag of truce in the midst of the engagement been questioned by any impartial writer.

Conclusion of an Armistice.

The armistice was concluded on the 9th of April, seven days after the battle; and Nelson was already chafing at the tardiness of the commander-in-chief, who would neither send a squadron, nor go himself in search of the Russian fleet at

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[h] 'I do not conceive,' writes Captain Lindholm, 'that Commodore Fischer had the least idea of claiming as a victory, what, to every intent and purpose, was a defeat. He has only thought that the defeat was not an inglorious one, and that our officers and men displayed much bravery and firmness against a force so superior in every respect. * * As to your lordship's motive for sending a flag of truce to our Government, it can never be misconstrued;—and your subsequent conduct has sufficiently shewn that humanity is always the companion of true valour.'—*Correspondence*, vol. iv. p. 347.

Revel. At length Sir Hyde sailed on the 12th of the month. On the 19th, Nelson received a letter from the admiral, informing him that the Swedish fleet was at sea. Without a moment's hesitation, he ordered a boat to be launched; and at a late hour in the evening, without even a cloak to protect his frail body from the piercing cold, Nelson hurried away in an open six-oared boat to row against wind and tide for twenty-four miles. His only anxiety was, lest the squadron should have sailed. 'If they have,' he said, 'we will follow them to Carlscrona in the boat.' His invincible energy was rewarded. At midnight, after having been six hours at sea, Lord Nelson came up with the fleet at Bornholm, and stepped on board the Elephant, the ship in which he had fought at Copenhagen. Ch. 41. 1801

Evasive conduct of the Swedes.

The Swedish fleet, when the English squadron appeared in sight, retired behind the guns of Carlscrona. Sir Hyde Parker sent a flag to inform the Swedish admiral of the armistice with Denmark, and to demand an explicit answer as to the intentions of Sweden. The reply, so far from being explicit, was of the most evasive and temporising character; but Sir Hyde was satisfied, and the fleet sailed for the Gulf of Finland. It had not proceeded far, when a despatch arrived from the Russian ambassador at Copenhagen, announcing the death of the Emperor Paul, and that his successor Alexander had assented to the proposal of the English Government to settle the

Ch. 41. — 1801

difference between the two countries by a convention. Upon this information, Sir Hyde Parker was content to assume that hostilities were virtually at an end, and accordingly he retired to his original anchorage in Kioge Bay, there to await instructions from England.

Change of Russian Policy.

Paul, whose rule had long been intolerable to his subjects, had fallen a victim to a conspiracy hatched within the walls of his palace a week before the battle of Copenhagen. Alexander immediately reversed the cruel and oppressive acts of his father. He removed the embargo from British shipping, and released the seamen who had been thrown into prison. The treaty of the Armed Neutrality, however, the capital grievance of the British Government, was not yet formally renounced by the Court of St. Petersburg; and while that treaty remained even nominally in force, the English fleet must remain in the Baltic. If Nelson could have had his way, he would have intercepted the Russian fleet before they reached Cronstadt, and terminated the Armed Neutrality by the summary process of seizing or destroying the imperial navy in the Bay of Revel.[1] But the Commander-in-Chief was one of those ordinary men, who in ordinary times, and by ordinary people, are considered safe and prudent directors of human affairs. Such men are born to frustrate

[1] 'Nothing,' he said, 'if it had been right to make the attack, could have saved one ship of them in two hours after our entering the bay.' To Earl Vincent, 10th May.

great opportunities, and to commit blunders more fatal than those of foolish temerity. Sir Hyde Parker's well meaning incapacity did more to mar the fortunes of the expedition under his orders than all the efforts of the enemy; and the success of his fleet lasted only so long as his authority was overborne by the energy and ability of his subordinate officer. An examination of Nelson's plans, and a comparison of those plans with the events, leave little room for doubt that, if the expedition had been placed under his orders from the time it left Yarmouth roads, the triple league of the Baltic powers would have been dissolved at the cannon's mouth, and with less effusion of blood than had been shed at Copenhagen.[1]

Ch. 41. 1801

On the 5th of May, orders arrived from England recalling Sir Hyde Parker, and appointing Nelson to the chief command. This measure, though a virtual acknowledgment by the Government of the error into which they had perversely fallen when they suffered the pretension of seniority, or professional jealousy, to overbear the claims of

Recall of Sir H. Parker.

[1] 'On the 2nd of April we could have been at Revel, and I know nothing at present which could have prevented our destroying the whole Russian force at that port.... The difficulty was to get our Commander-in-Chief to either go past Cronenburg, or through the Belt, because what Sir Hyde thought best, and what I believe was settled before I came on board the London, was to stay in the Cattegat, and there wait the time when the whole naval force of the Baltic might choose to come out and fight.' Lord Nelson to Mr. Vansittart, 12th May, 1801. *Correspondence*, vol. v. p. 368.

Ch. 41. — 1801

unrivalled merit, was too late to be of practical importance. Nelson, however, though sinking from bodily exhaustion now that the excitement of stirring action had ceased, soon diffused a new spirit through the fleet. The first signal which he made as commander-in-chief was hailed with acclamations of joy and exultation. It was the signal to weigh anchor; and in forty-eight hours after his appointment, the admiral was at sea. It was his intention to prevent, if it was not too late, the junction of the Swedish and the Russian fleets; to require from Russia the immediate release of the English shipping, and the restitution of English property;—not permitting these concessions to be involved in any questions which England might have to discuss with Denmark or Sweden. He thought this business would be concluded in a fortnight; and he desired, therefore, that some person might be sent out immediately to relieve him of his command. The despatches and letters from England, though gratifying in the main, as they could not fail to be, contained much that caused irritation to Nelson's sensitive mind. The armistice of Copenhagen was coldly and hesitatingly approved in the official communication, and had been the subject of unfavourable comment in the course of public discussion at home. Nelson, therefore, thought it necessary to write a private letter to Mr. Addington, fully explaining his reasons for sending the flag of truce, and afterwards concluding a military convention. The

flag of truce was simply an act of humanity. By the armistice, 'Great Britain was left the power of taking Danish possessions and ships in all parts of the world, whilst we had locked up the Danish navy, and put the key in our pockets.' Such was the summary of Nelson's vindication of his policy. And he was well justified in concluding, 'I consider it as a wise measure, and I wish my reputation to stand upon its merits.'[k]

Nelson, having left a small force at Bornholm to watch the Swedes, proceeded with ten sail of the line to Revel. But the friendly disposition of the Court of St. Petersburg rendered any further demonstration of power on the part of Great Britain unnecessary, and, therefore, offensive. On the 24th of May, Lord St. Helens, who had been sent out to conclude a pacification with the Baltic Powers, arrived at Kioge Bay; on the 19th of June, Nelson having been superseded at his own request, as has been stated, resigned his command to Admiral Sir Charles Pole, and returned to England. For his services in the Baltic, Nelson was advanced a step in the Peerage, but received no other reward. Admiral Graves, the rear-admiral who served under him in the action, received the Order of the Bath; but no honour beyond the customary vote of thanks from both Houses of Parliament, was conferred on the commander-in-chief.

[k] Letter to Addington, 8th May, 1801. — *Correspondence* vol. 4, p. 361.

Ch. 41. — 1801

The victory of Copenhagen, while it sustained the naval reputation of England, lost much of its political importance by the death of the Emperor Paul. It was to that event, that the dissolution of the Northern Confederacy must, in the first instance, be attributed, even if the policy of the new reign was finally determined by the fate of Denmark, and the intimidation of Sweden. The decree of the Emperor Alexander liberating the English seamen who had been arrested by his predecessor, was published before information of the battle of Copenhagen could have reached St. Petersburg; and it is probable, that the rash and servile policy of the Confederation would have been abandoned, if the British fleet had never passed the Sound. However this may be, the Court of St. Petersburg, after a decent protest against the violence which England had employed to detach Denmark from the triple alliance, proceeded to use its authority with the Court of Berlin, to procure the withdrawal of the Prussian troops from Hanover, from Hamburg, and from Bremen, as well as to re-open the navigation of the Elbe. Negotiations commenced in this spirit were not likely to be protracted. On the 17th of June, a treaty of peace, on terms which comprised a renunciation of the principles of the Armed Neutrality, was signed at St. Petersburg, by the Ministers of Russia and of Great Britain. The immunity from visit of neutral ships under convoy—the new term which had been introduced into the recent revival

of the northern version of maritime law,—was no longer insisted on. The cardinal maxim of neutrals, that the flag covers the cargo, was formally abandoned. On the other hand, some concessions were made to neutrals. Contraband of war, which, according to some expositors of the law of nations, might include almost anything the belligerent thought fit to claim, was strictly defined. The right of search was confined to ships with a regular commission, and denied to privateers.[1] Paper blockades were abolished, and every blockade entitled to respect was to be actual and efficient. To this treaty, Denmark and Sweden afterwards acceded.

Dissolution of the Northern League.

The dissolution of the Northern League put an end to Bonaparte's hope of resisting the naval ascendancy of England. He sought, by compelling Naples and Portugal to accept terms of peace unfavourable to this country, to deprive England of her only remaining allies; but, in fact, he only relieved her of burdens from which she could not with honour disengage herself. The standing menace of invasion was then revived; and formidable demonstrations were made in the French ports. But preparations for defence, far

[1] 'Respecting privateers,' said Nelson, 'I am decidedly of opinion, that, with very few exceptions, they are a disgrace to our country; and it would be truly honourable never to permit one after this war.'—*Correspondence*, vol. iv. p. 395. All the civilised nations of the world, with the exception of the United States of America, have by treaty, at length abandoned the use of this infamous arm.

Ch. 41. 1801

more efficient than those for attack, were rapidly completed. Though no serious apprehensions could be entertained of an invading army, which was to be conveyed across the channel on rafts and in gunboats, the genius and resources of Bonaparte rendered it hazardous to calculate on the impracticability of any enterprise which he might think fit to undertake. It was determined, therefore, that in addition to the Channel fleet, a flying squadron should be placed under the orders of Nelson. Boulogne was the point from which it was supposed the invasion might be attempted; but a glance at Boulogne satisfied Nelson that a flotilla would not venture to leave that port. He approached near enough in a frigate to destroy two floating batteries and some gun-boats. He proposed that the squadron should be sent to take possession of Flushing, from which quarter, if from any, he thought danger might be apprehended. But the Government, yielding to public opinion in England, urged him to make an attack on Boulogne. This was an affair of boats, a service not quite worthy an officer of Nelson's rank and reputation. Nelson, however, though seeking the repose which his shattered health required, readily undertook the duty. It was enough for him that the country required his services. An attempt was made to board the flotilla by night; but the enemy were prepared. The vessels were protected by iron spikes; their decks were covered with soldiers, and the batteries on shore

were fully manned. Some of the vessels were, nevertheless, taken possession of; but the attack generally was a failure; and the boats ultimately withdrew after losing nearly two hundred men. Nelson himself was not, of course, present at this affair; while the French, unaccustomed to the advantage in naval encounters, magnified the repulse of the attempt on Boulogne into a victory which balanced their defeat at Aboukir.

Various minor engagements took place in the spring and summer of this year in the West Indies and in the Atlantic, all adding to the reputation of the British navy for skill and gallantry; but none of them attended with any important political result. In the Mediterranean, an attempt was made by the French and Spanish fleets to raise the blockade of Cadiz. Sir James Saumarez sailed from Gibraltar with five ships of the line to prevent this movement, but was compelled by adverse winds, after a severe engagement near Algesiras Bay, to retreat, leaving one of his ships, the Hannibal, which took the ground, in the hands of the enemy. This reverse, however, was repaired in a few days. Saumarez, having refitted at Gibraltar, returned to Cadiz with five sail, and, in a partial engagement, defeated a French and Spanish squadron of six sail. Two Spanish ships of one hundred and twelve guns blew up, and one seventy-four was taken. The remainder of the squadron, some of them disabled, returned to the harbour of Cadiz. On the other hand, two British ships, the

Ch. 41. 1801

Success frigate, and the Swiftsure, seventy-four, were taken off Malta by Admiral Gantheaume's squadron, which had escaped from Brest in the early part of the year.

But these were no more than the embers of the great war. For some months past, negotiations had been proceeding, though languidly, on both sides, towards a termination of hostilities. At length, after the expulsion of the French from Egypt, and the signal defeat of their northern policy, M. Otto, the French minister at London, was instructed to renew the correspondence which had been for some time suspended. These overtures were readily encouraged by the English Government; and, as both parties were now, for the first time, intent on peace, the terms were settled without much difficulty. England relinquished all the conquests of the war, with the exceptions of Trinidad and Ceylon. The Cape of Good Hope was to become a free port. Malta was to be restored to the Knights of St. John, under the guarantee of one of the Great Powers. Porto Ferrajo was to be evacuated. On the other side, the Republic of the Seven Islands was to be acknowledged; the French were to withdraw from Naples and the Roman States. The integrity of Portugal was to be secured. Egypt was to be restored to the Porte. The Newfoundland fisheries were to be replaced on the same footing as before the war. The usual stipulations were added with regard to prisoners, as well as for the protection

and indemnity of the inhabitants of ceded territories. Ch. 41. 1801

The preliminaries were signed at London on the 1st of October, and in a few days afterwards at Paris. The peace was hailed with every demonstration of joy in both capitals. General Lauriston, the messenger who brought over the ratification of the preliminary treaty was received in a manner which gave just offence to those who respected the honour and dignity of the country. The horses were taken from the Frenchman's carriage, which was dragged through the streets by the populace to the house of M. Otto, the French Envoy. The revolutionary faction was supposed to have taken the leading part in this unseemly demonstration; but the people who had been taught to attribute the suffering and privation they had long endured in a great measure to the taxation and high prices of the war, welcomed the messenger of peace as bearing the glad tidings of cheapness and plenty. The populace of London, however, though in a coarse and clamorous form, represented a feeling which was prevalent throughout the country. The people of England had been, from the beginning, consistent in their repugnance to this war. For the first time in the history of the nation, a war with France had not been a popular war. Every class, except a small class of fanatical haters of the French revolution, inspired by the Sibylline eloquence of Burke, had been averse to the war. The English people, though their nature revolted from

Ch. 41. 1801

the wanton excesses of the French revolution, were little inclined to join a league of despots in arms against liberty, and seeking to interfere in the domestic concerns of an independent nation. The Whigs, consistently with their principles, were opposed to such a policy. The Tories, though they would gladly have seen the revolution suppressed, were not willing to pay the price of war. But the spirit of aggression against the rights of other nations which the revolution assumed, and the decree of the 19th of November, 1792, which aimed at converting all the states of Europe into affiliated republics, made it apparent that war was no longer a choice, but a necessity. So late as the autumn of 1792, none but the devoted followers of Burke were for war; but at the beginning of 1793, none but the avowed Republicans contended that it was possible to maintain peace. During the nine weary years of its existence, the war had been generally regarded as a burden which must be endured. The want of military success disheartened the nation; and even the great achievements of the navy seemed to be welcome only as they revived the hope of making peace without national dishonour. Hence it was, that the announcement of peace, after the war had long ceased to have any definite object, was greeted with demonstrations of joy, such as had never been equalled after the most signal triumphs of our arms.

The nation, being in this temper, was not very

critical in scanning the terms which the Government had agreed to. At the meeting of Parliament, on the 29th of October, the Address, in answer to the King's Speech, announcing the convention with the Northern Powers, and the preliminary treaty with France, was voted without opposition, after short debates. The old war party, never considerable in regard to numbers, led by Grenville and Windham, denounced the treaty as a mere armed truce, entered upon without necessity, negotiated without wisdom, and concluded without honour. England, they said, was a conquered country, and Bonaparte as much its master as he was of Spain or Prussia. But it was not the *treaty*, which these statesmen censured so much as the *peace*. According to their views England should have continued the war until its original objects were accomplished; until the spirit of Jacobinism was extirpated, and until the military ambition of France was restrained within fixed limits.

On the other hand, the old opposition, as insignificant in point of following as the war party, but still more distinguished by the quality of its leaders, applauded both the peace and the treaty, because they had failed to accomplish the objects of the war. Those objects, they said, were the restoration of an odious despotism, and a guarantee to kings against the liberties of their people. Public opinion lay between these extremes, and was, on the whole, well expressed by Mr. Pitt.

Ch. 41. 1801

He said, that whatever views might have been entertained at different periods of this protracted war, all thinking men were now agreed that after the dissolution of the European alliance, and the conclusion of Peace between France and the several Continental Powers, this country could not fairly be expected to entertain any other object than the termination of the war upon such terms as should not be dishonourable to herself, or disadvantageous to her remaining allies. He did not describe it as a glorious peace; nor did he venture to predict that it would be durable. Whatever treaty we might make with the French people, whether ruled by a Bonaparte or a Bourbon, its stipulations would be observed only so long as they considered it beneficial to their interest to do so. An epigrammatic phrase which Sheridan let fall in one of the debates, was taken up and passed from mouth to mouth. 'It was a peace,' he said, 'which everybody would be glad of, but which nobody could be proud of.'

Grenville's attack on the Northern Convention.

The convention with Russia and the Baltic powers, which recognized substantially all the principles of maritime law for which this country had ever contended, seemed hardly to present any topic for unfavourable criticism, even to the most captious opponent; yet Lord Grenville, who was certainly not actuated by a personal or party opposition to the Government, thought fit to make a deliberate attack on this compact, as if it had surrendered the most cherished rights and privileges

of the flag. In a speech still referred to[m] for the great knowledge and ability which it displayed, the late Minister for Foreign Affairs sustained the pretensions of the belligerent flag at their highest point, and contended that the slight concessions made by England were a serious derogation from her maritime rights. He went so far as to assert, that if the stipulations of the treaty remained unaltered, our system of maritime law, instead of having been confirmed by the issue of a successful contest, would be found to have been, in all its parts, essentially impaired; its principles shaken, its exercise embarrassed, and its clearest regulations made matter of eternal dissension and contest. But this sweeping condemnation was ill sustained by the cavils which Grenville urged against the several articles. He complained that the first article did not, in terms sufficiently explicit, prohibit Neutrals from taking up the French, or any other coasting trade in time of war; and that the colonial trade was absolutely surrendered. On these points, the Lord Chancellor replied that such concessions had not been intended, and did not result from the construction of the terms. With regard to the great principle, that free ships make free goods, which had been the foundation of the Armed Neutrality, Lord Grenville admitted that this was given up; but he thought the restricted definition of contraband, and the reduction of the number of

[m] November 13th, 1801.—*Parliamentary History.*

Ch. 41. 1801

native seamen required to entitle a ship to the privilege of neutrality, were dangerous relaxations of the existing law. The article, which abolished loose or paper blockades, and substituted actual blockades was substantially adopted from the maritime code of 1780, and this, therefore, gave great offence to a statesman, who was persuaded that the belligerent interests of this country were incompatible with any independent exercise of their commercial rights by neutrals. The article, which removed the more offensive incidents to the right of search, and restricted it as a general rule to the papers of the ship subject to visit, was represented as a virtual abandonment of the right. Lord Grenville's elaborate attack upon the convention received no support, and in answer to an eloquent appeal, which he had made to the great naval commanders who had been ennobled for their services, Nelson declared that he entirely approved of the Convention, which he considered just and satifactory.

Definitive Treaty.

The Marquis Cornwallis was sent to Paris to conclude the definitive treaty with the French Government. The English Ambassador was treated with every mark of distinction; and his reception formed a striking contrast to that which Lord Malmesbury had experienced three years before. But the vain, incapable Directory, giddy with sudden elevation, had been swept away, and in their place was a ruler who knew how to respect the power which had been exhibited at

the Nile, at Alexandria, and at Copenhagen. Bonaparte himself, who had been accustomed to treat the representatives of the European states with an insolence measured by his sense of his own ability compared with their weakness, behaved with scrupulous civility and respect to the Ambassador of Great Britain. While he assumed the tone of an absolute ruler with reference to the policy of France, he affected a frank, liberal, and conciliatory spirit in dealing with the demands of the English Government. He said that he was desirous of peace, because France had entirely lost her commerce, and her pecuniary resources were almost exhausted. With reference to a formidable expedition which he had lately sent to the West Indies, with the avowed object of subduing the black populations of St. Domingo and Guadaloupe, the First Consul went so far as to say, that had he been informed of the objections entertained by the British Government to that expedition, it should have been abandoned. He expressed also, in very obliging terms, his willingness to consent to a provision in the treaty for an indemnity to the Prince of Orange, since his Britannic Majesty felt a personal interest in the matter. These civilities were important only as showing the estimation in which England was held, and that French diplomacy had resumed the tone and temper which became a civilized power. But the British Plenipotentiary would have been greatly misled, if he had interpreted the frankness

Ch. 41. — 1801

and courtesy of the First Consul as meaning anything more.[n]

Difficulties in adjusting the terms.

Lord Cornwallis's instructions were to adhere to the preliminaries, adding only the demand for compensation to the Prince of Orange for the loss of his property. But great difficulty was experienced in adjusting the terms comprised in the preliminary articles; and the utmost vigilance and firmness were needed in holding the French Government to the letter and the spirit of their engagements.

After Lord Cornwallis's interview with the head of the French Government, the formal Conferences were transferred to Amiens, Joseph Bonaparte being accredited as the French Plenipotentiary; the Chevalier d'Azara and M. Schimmelpenninck were, after some hesitation on the part of France, admitted as the representatives of Spain and Holland. The negotiations were protracted to such a length by the evasion and duplicity of the French Government, that great doubts were entertained at home of their reaching a satisfactory termination. More than once they were, in fact, on the point of breaking off; but it was the policy of Bonaparte to make a temporary peace, and when he found that the English Government were neither to be intimidated nor cajoled, their just demands were yielded. At length, after the Congress had sat during four months, the Definitive

[n] Marquis Cornwallis to Lord Hawkesbury, December 3rd, 1801.—*Correspondence*, vol. iii. p. 399.

Treaty was signed. It was substantially a faithful confirmation of the preliminary articles. Malta, the position of which had been left to be determined by the Congress, was placed under the protectorate of the principal European powers, with a garrison composed half of Maltese and half of troops furnished by the King of the Two Sicilies. The only additional article was that which provided for compensation to the House of Nassau, in respect of their private property. The Treaty was signed at Amiens, on the 28th of March, 1802.

It had been the practice in former treaties to take the opinion of Parliament on the preliminary articles. But the old war-party, which had already taken the foremost ground of opposition to the new Ministry, insisted on debating, although they admitted they could neither alter nor reject the definitive treaty. Lord Grenville said, there were two grounds on which a treaty of peace might be based, the *status ante bellum*, or the *uti possidetis*; and with the usual sacrifice of truth to epigrammatic point, he described the peace of Amiens as partaking of both grounds. As regarded England the *status ante bellum* had been adopted, by giving up all she had taken during the war; and, as regarded France, the *uti possidetis* had been resorted to, by leaving her in possession of all she had acquired. Malta, however, the principal conquest of the war, was not given up to France, but restored to its former possessors, under the guarantee of the European powers. The Cape of

Ch. 41. 1801

Good Hope, though restored to Holland, was constituted an open port. Ceylon, the richest island in the Indian Ocean, with one of the finest harbours in the world, and an invaluable adjunct to our Indian empire, was retained. It was an absurd exaggeration to assert, as Lord Grenville did, that the definitive treaty was infinitely more prejudicial to this country than the preliminary treaty. The one treaty was, in fact, the confirmation of the other; and all that could be fairly urged was, that, in negotiating the details which had been reserved for the final treaty, Lord Hawkesbury and Lord Cornwallis were no match for Bonaparte and Talleyrand. The indemnity to the Prince of Orange, not being founded on an express stipulation by Holland, proved, in the event, to be valueless. But, it is to be observed, that the question of indemnity formed no part of the preliminaries. The arrangements, with regard to prisoners, were not so advantageous to England as they were to France; and the interests of the humble allies of England were not so carefully provided for as they might have been. Lord Grenville, when he dwelt upon these minor points, and sought to persuade the House that the treaty should have been broken off and hostilities resumed, had no more weight and authority than Lord Stanhope, or Lord Abingdon. On a division, he was left in a small minority.[o] In the Commons,

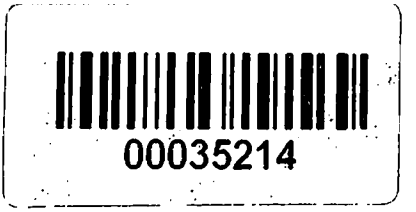
[o] 16 to 122.

the debates were protracted to a great length; but the peace was ultimately approved by a majority far larger, after allowing for the addition which had lately been made to the numbers of the House, than had ever supported the war.[P]

Thus ended the first stage of the Great Revolution, which had shaken Europe to its centre. England alone had sustained the shock with firmness;—but England sought repose before the renewal of the struggle, which all men felt to be inevitable, and which many foresaw would be a struggle for existence.

[P] 276 to 20. Windham, who led the opposition to the treaty, is said to have acknowledged to Lord Sidmouth some years afterwards, that if it had not been for the peace of Amiens, the country could not have maintained the second war.—PELLEW'S *Life of Lord Sidmouth*, vol. ii. p. 53.

THE END.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